



**COUNTY OF SAN LUIS OBISPO  
DEPARTMENT OF PLANNING AND BUILDING  
STAFF REPORT**

**10-1**

**SUBDIVISION REVIEW BOARD**

Promoting the wise use of land  
Helping build great communities

MEETING DATE July 10, 2006	CONTACT/PHONE Elizabeth Kavanaugh 805/788-2010	APPLICANT Gary and Mary Tharp	FILE NO. CO 04-0531 SUB2004-00114
<b>SUBJECT</b> Hearing to consider a request by Gary and Mary Tharp allow for subdivision of an existing 3-acre parcel into two parcels of 1.6 and 1.4-acres each for the purpose of sale and/or development. The project includes off-site road improvements to San Antonio Road. The proposed project is within the Residential Suburban land use category and is located on the east side of San Barbara Road, approximately on quarter of a mile south of the Santa Barbara Road and San Antonio Road intersection, southeast of the City of Atascadero. The site is in the Salinas River planning area.			
<b>RECOMMENDED ACTION</b> 1. Adopt the Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. 2. Approve Vesting Tentative Parcel Map CO 05-0122 based on the findings listed in Exhibit A and the conditions listed in Exhibit B.			
<b>ENVIRONMENTAL DETERMINATION</b> The Environmental Coordinator, after completion of the initial study finds that there is no substantial evidence that the project may have a significant effect on the environment, and that the preparation of an Environmental Impact Report is not necessary. Therefore, a Mitigated Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulation section 15000 et seq.) has been issued on September 12, 2005 for this project, impacts requiring mitigations are aesthetics, biological, cultural, noise and public facilities.			
LAND USE CATEGORY Residential Suburban	COMBINING DESIGNATION None	ASSESSOR PARCEL NUMBER 059-341-021	SUPERVISOR DISTRICT(S) 5
<b>PLANNING AREA STANDARDS:</b> Planning Impact Area –Atascadero and Shared Driveways -			
<b>LAND USE ORDINANCE STANDARDS:</b> Secondary dwelling prohibition			
<b>EXISTING USES:</b> A single-family residence and a secondary dwelling			
<b>SURROUNDING LAND USE CATEGORIES AND USES:</b> <i>North:</i> Residential Suburban / residences <i>South:</i> Residential Suburban / residences <i>East:</i> Residential Suburban / residences <i>West:</i> Residential Suburban/ Highway 101			
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242			

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OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Public Works, Environmental Health, County Parks, CDF, and the City of Atascadero and the Santa Margarita Advisory Counsel	
TOPOGRAPHY: Moderately sloping	VEGETATION: Oak tree, pine tress and forbes
PROPOSED SERVICES: Water supply: Community system Sewage Disposal: Individual septic system Fire Protection: CDF	ACCEPTANCE DATE: September 30, 2005

#### ORDINANCE COMPLIANCE:

##### Minimum Parcel Size - Land Use Ordinance Minimum Parcel Size Tests

Section 22.22.070 of the Land Use Ordinance establishes standards for determining minimum parcel sizes in the Residential Suburban land use category. The standards are based on the topography of the site and the type of water supply and sewage disposal. Minimum parcel size is based on the largest parcel size as calculated by tests. The proposed parcels meet all requirements for 1 acre parcels as follows:

TEST	STANDARD	MINIMUM PARCEL SIZE
Slope	Average slope is between 0 and 15 %	1 acre
Water Supply and Sewage Disposal	On-site septic Community sewer	1 acre

##### Minimum Parcel Size - Land Use Ordinance Planning Area Standards

The minimum parcel size is 2.5 acres based upon the planning area standard for the site. The applicant is requesting a subdivision of a parcel that would result in parcels below 2.5 acres based on the provisions of the county TDC program.

##### TDC Receiver Site

The Salinas River Planning Area rural standards set a minimum parcel size of 2.5 acres. The applicant, however, has requested to be a Transfer of Development Credit (TDC) receiver site. The site qualifies as a receiver site as follows:

1. The project is recommended for a mitigated negative declaration;
2. The site is not within agricultural preserve;
3. The site is within five miles of an urban reserve line;
4. The footprint of development is located on less than 30 percent slopes;
5. The footprint development is outside of SRA, FH, GSA, Earthquake Fault Zone and the Very High Fire Hazard
6. The footprint of development is outside of a significant biological, geographical or riparian habitat as defined by the Natural Areas Plan (appendix B of the Ag and Open Space Element of the general plan); and
7. The development complies with all development standards; water, sewage disposal and access standards and all land division standards as set forth in Titles 19, 21, and 22.

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The base density of this project is based on the planning area standard, which is one parcel per 2.5 acres. Through a standard subdivision, this lot could not be subdivided. However, Section 22.24.070.B.2.d allows division of an otherwise unsubdividable parcel into no more than one additional parcel. The site must be within 5 miles of an urban or village reserve line. This site is less than a mile from Atascadero's Urban Reserve Line. The parcel(s) after division shall not be less than the lowest minimum parcel size allowed by the land use category. In this case, the lowest minimum parcel size in Residential Suburban land use category is one acre. The proposed parcels are 1.6 and 1.4 acres each, larger than the one-acre minimum parcel size in Residential Suburban land use category. This site would otherwise qualify for the one-acre minimum parcel size absent the planning area standard that sets a 2.5-acre minimum. One transfer of development credit will need to be retired prior to recordation of the final map.

Secondary Dwellings- This site currently has a secondary dwelling. The County permitted this secondary dwelling in February 1980. In September of the same year the Salinas River area plan prohibited secondary dwellings in the South Atascadero area. This is a legally constructed secondary dwelling that meets all setbacks and construction standards. If this subdivision is approved, the secondary dwelling will become parcel two's primary residence and secondary dwelling will not be allowed on either parcel associated with this subdivision. An informational notice of this is listed in the additional map sheet.

Underground Utilities – This project is conditioned to provide underground utilities per section 22.10.160.

#### Quimby Fees

Title 21, the Real Property Division Ordinance, establishes an in-lieu fee for all new land divisions for the purpose of developing new, or rehabilitating existing, park or recreational facilities to serve the land division. Payment of the parkland fee for all undeveloped parcels is required prior to map recordation.

#### Affordable Housing Fees

Sections 18.07 et. seq of Title 18 of the County Code establishes an in-lieu fee of 3.5% of the public facility fee for all new land divisions. This allows recognized affordable housing projects to be exempted from public facility fees.

#### Design Standards

The proposed parcels are consistent with the design criteria set forth in Chapter 3 of the Title 21 of the Real Property Division Ordinance.

### PLANNING AREA STANDARDS:

Minimum Parcel Size -The minimum parcel size for land division in the South Atascadero area is 2.5 acres. This project proposes the use of a TDC credit. When TDC credits are used in subdivisions the base density is the minimum parcel size. In this case because the area plan minimum parcel size 2.5 acres, this is the base density for the proposed subdivision.

Planning Impact Area – Atascadero: This project is located adjacent to the City of Atascadero. The county is required to refer projects close to the city, to the city for comments. This project was referred to the city of Atascadero on September 20, 2004 and a follow up phone call was placed to the city of Atascadero on June 2, 2006 and no response was received.

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Shared Driveways: Shared driveways are encouraged in this area. This project does not include a shared driveway. The existing primary residence and secondary residence each have existing driveways. Staff determined that the site is best served by allowing the two existing driveways to remain, because the grading required to create a shared driveway would impact many oak trees on site and would require grading on moderate slopes.

## ENVIRONMENTAL DETERMINATION

This project has been issued a Mitigated Negative Declaration. This subdivision requires no mitigation because the site is already developed with two houses, two driveways and two septic systems. The applicant stated they have no plans to rebuild or add on to the existing residences at this time. However if in the future, the applicant or future owners expands or rebuilds the existing houses the new residences could be seen from Highway 101. In addition, there could be impacts to cultural resources and there would likely be impacts to the site's many oak trees. The applicant has agreed to mitigations for these impacts in a signed developers statement and they are required to be listed in the additional map sheet of the final map.

Through retirement of a transfer of development credit, this project moves development that could occur in outlying areas closer to services and shopping. The overall benefits of the TDC program are: reduced air pollution, reduced traffic, minimizing sprawl, and permanently protecting land that has agricultural and/or natural resources value.

## STAFF COMMENTS

This subdivision has several positive qualities beyond compliance with the Land Use Ordinance:

- This map meets all of Title 21 subdivision and design standards.
- The environmental review found there are no impacts from this subdivision
- Both proposed lots have street frontage.
- Approximately one third of the lots in the area are already below the 2.5 acre minimum parcels size set by planning area standard
- There are two existing parcels that are less than one acre within a quarter mile of the site.

Neighborhood Compatibility -The proposed parcel sizes are approximately 1.4 and 1.6 acres each. The parcel sizes within a quarter mile of the site are between one half acre and ten-acres with an average parcel size of 3.6 acres. Approximately one third of the existing parcels in the vicinity are under 2.5-acre minimum parcel size of the area and in the immediate area there are two parcels less than one acre in size.

Density – The proposed lot is approximately three acres. This lot could not subdivide through the traditional subdivision process. This TDC subdivision does not increase the density of this site, because the site is already developed with one primary and one secondary dwelling, one per each proposed lot. Secondary dwelling are no longer allowed in this area, so these lots would not be able to build additional residences.

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AGENCY REVIEW

Air Pollution Control District –doesn't support this type of development

Public Works – no issues

Environmental Health – approved for processing

County Parks - Pay Quimby fees and building fees

City of Atascadero – No comments

CDF – Issued a Fire Safety letter dated September 14, 2005

Santa Margarita Advisory Counsel – proceed with restrictions against secondary dwellings

LEGAL LOT STATUS:

A recorded map COAL 80-0027 legally created the one lot

Staff report prepared by Elizabeth Kavanaugh  
and reviewed by Kami Griffin, Supervising Planner

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## FINDINGS - EXHIBIT A

### *Environmental Determination*

- A. The Environmental Coordinator, after completion of the initial study finds that there is no substantial evidence that the project may have a significant effect on the environment, and that the preparation of an Environmental Impact Report is not necessary. Therefore, a Mitigated Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulation section 15000 et seq.) has been issued May 15, 2006 for this project. Mitigation measures are proposed to address biology, aesthetics, noise and cultural resources.

### *Tentative Map*

- B. The proposed map is consistent with applicable county general and specific plans because it is being subdivided in a consistent manner with the Residential Suburban land use category and has included the Salinas River area plan standard of 2.5 acre minimum parcel size as the base density for this TDC subdivision.
- C. The proposed map is consistent with the county zoning and subdivision ordinances because the parcels meet the minimum parcel size set by the Land Use Ordinance and the design standards of the Real Property Division Ordinance.
- D. The design and improvement of the proposed subdivision are consistent with the applicable county general and specific plans because required improvements will be completed consistent with county ordinance and conditions of approval and the design of the parcels meets applicable policies of the general plan and ordinances.
- E. The site is physically suitable for the type of development proposed because the proposed parcels contain adequate area for development of two single-family residences.
- F. The site is physically suitable for the proposed density of the development proposed because the site can adequately support two primary dwellings.
- G. The design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat because the site is not critical habitat fish or wildlife and the vicinity is already developed with two single family residences.
- H. The design of the subdivision or the type of improvement will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.
- I. The proposed map complies with Section 66474.6 of the State Subdivision Map Act, as to methods of handling and discharge of waste.

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*Transfer of Development Credit (TDC) Receiver Site.*

- J. The site qualifies as a TDC Receiver Site as follows: (1) the project is recommended for a mitigated negative declaration; (2) the site is not within agricultural preserve; (3) the site is within 5 miles of an urban reserve line (less than one mile from the Atascadero urban reserve line); (4) the applicant has designated building sites and access drives where footprint of development is located on less than 30 percent slopes; (5) the footprint of development is outside of SRA, FH, GSA, Earthquake Fault Zone and the Very High Fire Hazard Area, because none of the site is located within these areas; (6) the footprint of development is outside of a Significant Biological, Geographical or Riparian Habitat as defined by the Natural Areas Plan (appendix B of the Ag and Open Space Element of the general plan) because none of the site is located within these areas and (7) the development complies with all development standards, water, sewage disposal and access standards and all land division standards as set forth in Titles 19, 21, and 22.

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**EXHIBIT B**  
**Conditions of Approval for CO 04-0531**

**Approved Project**

1. This approval authorizes the division of subdivide an existing 3-acre parcel into two parcels of approximately 1.4 and 1.6 acres each and designate the project site as a TDC Receiver Site.

**Access and Improvements**

2. San Antonio Road widened to complete the project side of an A-1 (rural) section fronting the property. No oak tree shall be removed to complete this improvement.
3. All grading shall be done in accordance with Appendix 33 of the Uniform Building Code. All lot lines shall be considered as Site Area Boundaries with slopes setback accordingly.

**Improvement Plans**

4. The applicant shall enter into an agreement with the county for the cost of checking the map, the improvement plans if any, and the cost of inspection of any such improvements by the county or its designated representative. The applicant shall also provide the county with an Engineer of Work Agreement retaining a Registered Civil Engineer to furnish construction phase services, Record Drawings and to certify the final product to the Department of Public Works.
5. The Registered Civil Engineer, upon completion of the improvements, must certify to the Department of Public Works that the improvements are made in accordance with all conditions of approval, including any related land use permit conditions and the approved improvement plans. All public improvements shall be completed prior to occupancy of any new structure.

**Drainage**

6. Submit complete drainage calculations to the Department of Public Works for review and approval.
7. The existing drainage swale(s) to be contained in drainage easement(s) dedicated on the map.
8. The project shall comply with the requirements of the National Pollutant Discharge Elimination System Phase II storm water program. Provided WDID to Department of Public Works.

**Utilities**

9. Electric and telephone lines shall be installed underground.
10. Cable T.V. conduits shall be installed in the street.
11. Gas lines shall be installed.

**Design**

12. The lots shall be numbered in sequence.



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13. The lot area of lots one and two all contain a minimum area of .9 of an acre exclusive of area shown for rights of way and any easement that limits the surface use for building construction per Section 22.22.030.

#### **Fire Protection**

14. **Prior to filing the final parcel map**, the applicant shall obtain a fire safety clearance letter from the California Department of Forestry (CDF)/County Fire Department establishing fire safety requirements of the Fire Safety letter dated September 14, 2005.

#### **Parks and Recreation (Quimby) Fees**

15. Unless exempted by Chapter 21.09 of the county Real Property Division Ordinance or California Government Code section 66477, prior to filing of the final parcel or tract map, the applicant shall pay the in-lieu" fee that will be used for community park and recreational purposes as required by Chapter 21.09. The fee shall be based on the total number of new parcels shown on the map that do not already have legal residential units on them.

#### **Affordable Housing Fee**

16. **Prior to filing the final parcel map**, the applicant shall pay an affordable housing fee of 3.5 percent of the adopted public facility fee effective at the time of recording for each residential lot. This fee shall not be applicable to any official recognized affordable housing included within the residential project.

#### **TDC Program**

17. **Prior to recordation of the final map**, the applicant shall release their ownership in the Receipt of Transfer or the Certificate of Sending Credits to the Department of Planning and Building. Acceptance of the release shall only occur if the credits are located in conformance with Section 22.24.090 of Title 22. The Director shall notify the TDC Administrator of the release and specify the registration numbers of the credits that were used. After release, the credits are no longer valid and available for use.

#### **Additional Map Sheet**

18. The applicant shall prepare an additional map sheet to be approved by the county Department of Planning and Building and the Department of PublicWorks. The additional map sheet shall be recorded with the final parcel map. The additional map sheet shall include the following:
  - a. That secondary dwellings or guesthouses shall not be allowed on all lots within the land division.
  - b. Notification to prospective buyers of the county's Right to Farm Ordinance currently in effect at any time said deed(s) are recorded.
  - c. If improvements are bonded for, all public improvements (roads, drainage, and utilities) shall be completed prior to occupancy of any new structure.
  - d. A notice that no construction permits will be given a final inspection until the fire safety conditions established in the letter dated September 14, 2005 from the California Department of Forestry (CDF)/County Fire Department are completed. **Prior to occupancy or final inspection**, which ever occurs first, the applicant shall obtain final inspection approval of all required fire/life safety measures.
  - e. In the event archaeological resources are unearthed or discovered during any construction activities, the following standards apply:

1. Construction activities shall cease, and the Environmental Coordinator and Planning Department shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.
  2. In the event archaeological resources are found to include human remains, or in any other case where human remains are discovered during construction, the County Coroner is to be notified in addition to the Planning Department and Environmental Coordinator so that proper disposition may be accomplished.
- f. At the time of application for construction permits, the applicant shall clearly delineate the existing building site(s), driveway, and approved building envelope. All new development (e.g. residences, detached garages, guest houses, sheds, access roads and driveways) shall be located in this approved building envelope
- g. That approval of the subdivision included the use of Transfer Development Credits, the number of credits used, their registration numbers, and the location and assessor's parcel numbers of the sending site.
- h. **At the time of application for construction permits**, the applicant shall provide cross sectional drawings that clearly illustrate the relationship between the proposed development and the backdrop landforms when viewed from Highway 101. All new development shall be located so that no portion of any structure silhouettes against the sky when viewed from Highway 101.
- i. **At the time of application for construction permits**, the applicant shall clearly delineate the vertical height of all cut and fill slopes on the project plans and the border of cut slopes and fills rounded off to a minimum radius of five feet. No cut or fill area that will be visible from Highway 101. Sufficient topsoil shall be stockpiled and reapplied or re-keyed over these visible cut areas to provide at least 8" of topsoil for the reestablishment of vegetation. As soon as the grading work has been completed, the cut and fill slopes shall be reestablished with non-invasive, fast-growing vegetation.
- j. **At the time of application for construction permits**, the applicant shall clearly delineate on the project plans the location and visual treatment of any new water tank(s). All water tanks shall be located in the least visually prominent location feasible when viewed from [identify key viewing area(s)]. Screening with topographic features, existing vegetation or existing structures shall be used as feasible.. If the tank(s) cannot be fully screened with existing elements, then the tank(s) shall be a neutral or dark, non-contrasting color, and landscape screening shall be provided. The applicant shall provide evidence that the proposed tank(s) are as low profile as is possible, given the site conditions. Landscape material must be shown to do well in existing soils and conditions, be fast-growing, evergreen and drought tolerant. Shape and size of landscape material shall be in scale with proposed tank(s) and surrounding native vegetation. Plans shall show how plants will be watered and what watering schedule will be applied to ensure successful and vigorous growth.
- k. **At the time of application for construction permits**, the applicant shall submit architectural elevations of all proposed structures to the Department of Planning and Building for review and approval in consultation with the Environmental Coordinator. The elevations shall show exterior finish materials, colors, and height above the existing natural ground surface. Colors shall minimize the structure massing of new development by reducing the contrast between the proposed development and the surrounding environment. Colors shall be compatible with the natural colors of the surrounding environment, including vegetation, rock outcrops, etc. Darker, non-

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reflective, earth tone colors shall be selected for walls, chimneys etc. and darker green, grey, slate blue, or brown colors for the roof structures. All color selections shall fall within a "chroma" and "value" of 6 or less, as described in the Munsell Book of Color (review copy available at County, or go to internet website on topic such as: <http://www.it.lut.fi/ip/research/color/demonstration/demonstration.html>).

- i. **At the time of application for construction permits**, the applicant shall submit landscape, irrigation, landscape maintenance plans and specifications to the Department of Planning and Building for review and approval in consultation with the Environmental Coordinator. The landscape plan shall be prepared as provided in Section 22.04.186 of the San Luis Obispo County Land Use Ordinance and shall provide vegetation that will adequately screen the new development, including driveways, access roads, outbuildings, water tanks, etc., when viewed from Highway 101 to blend the new development, including driveways, access roads, outbuildings, water tanks, etc., into the surrounding environment.

All landscaping plans shall contain a note, signed by a qualified individual (e.g., arborist, landscape architect/contractor, nurseryman), certifying that the plant materials specified in the plan are consistent with Section [22.04.184 of the San Luis Obispo County Land use Ordinance].

- m. Retaining walls, sound walls, and understories that exceed six feet in height shall be constructed in colors and tones compatible with the surrounding environment, and shall use textured materials and/or construction methods which create a textured effect, when viewed from identify key viewing areas. Landscaping that will either screen from in front or grow over from above the wall shall be established **prior to final inspection or issuance of a certificate of occupancy, whichever occurs first**.
- n. To ensure future construction on this site does not impact sensitive plants that may be on the site, the applicant shall have a botany survey completed during blooming season and **prior to application for construction permits**. This survey shall survey the whole site; identify all sensitive plant located on site. Based on the results of the survey all development and construction activities shall avoid all sensitive plants. This shall be demonstrated on construction plans.
- o. All future development is encouraged to be located in area currently supporting development.
- p. **At the time of application for construction permits**, if oak trees are removed the applicant shall submit a tree replacement plan to be reviewed and approved by the Environmental Coordinator. The plan shall provide for the replacement, in kind at a 4:1 ratio, all oak trees removed as a result of the development of the project and in addition, shall provide for the planting, in kind at a 2:1 ratio, of oak trees to mitigate for trees impacted but not removed. Replanting shall be completed as soon as it is feasible (e.g. irrigation water is available, grading done in replant area). Replant areas shall be either in native topsoil or areas where native topsoil has been reapplied. If the latter, top soil shall be carefully removed and stockpiled for spreading over graded areas to be replanted (set aside enough for 6-12" layer).

Location of newly planted trees should adhere to the following, whenever possible: on the north side of and at the canopy/dripline edge of existing mature native trees; on north-facing slopes; within drainage swales (except when riparian habitat present); where topsoil is present; and away from continuously wet areas (e.g. lawns, leach lines).

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These newly planted trees shall be maintained until successfully established. This shall include protection (e.g. tree shelters, caging) from animals (e.g., deer, rodents), regular weeding (minimum of once early Fall and once early Spring) of at least a three foot radius out from plant and adequate watering (e.g., drip-irrigation system). Watering should be controlled so only enough is used to initially establish the tree, and reducing to zero over a three-year period. If possible, planting during the warmest, driest months (June through September) shall be avoided. In addition, standard planting procedures (e.g., planting tablets, initial deep watering) shall be used.

- q. If 15 or more trees are to be being planted, to guarantee the success of the new trees, the applicant shall retain a qualified individual (e.g., arborist, landscape architect/ contractor, nurseryman) to monitor the new trees' survivability and vigor until the trees are successfully established, and prepare monitoring reports, on an annual basis, for no less than seven years. Based on the submittal of the initial planting letter, the first report shall be submitted to the County Environmental Coordinator one year after the initial planting and thereafter on an annual basis until the monitor, in consultation with the County, has determined that the initially required vegetation is successfully established. Additional monitoring will be necessary if initially required vegetation is not considered successfully established. The applicant, and successors-in-interest, agrees to complete any necessary remedial measures identified in the report(s) to maintain the population of initially planted vegetation and approved by the Environmental Coordinator.
- r. **Prior to application for construction permits**, a cost estimate for a planting plan, installation of new trees, and maintenance of new trees for a period of three [use seven if oaks involved] years shall be prepared by a qualified individual (e.g., landscape contractor) and shall be reviewed and approved by the County Department of Planning and Building. **Prior to issuance of construction permits** the applicant shall post a performance bond, equal to the cost estimate.
- s. **At the time of application for construction permits**, the applicant shall clearly show on the project plans the type, size, and location of all trees to be removed as part of the project and all remaining trees within 50 feet of construction activities. The project plans shall also show the type and location of tree protection measures to be employed. All trees to remain on-site that are within fifty feet of construction or grading activities shall be marked for protection (e.g., with flagging) and their root zone fenced prior to any grading. The outer edge of the tree root zone is 1-1/2 times the distance from the trunk to the drip line of the tree. Grading, utility trenching, compaction of soil, or placement of fill shall be avoided within these fenced areas. If grading in the root zone cannot be avoided, retaining walls shall be constructed to minimize cut and fill impacts. Care shall be taken to avoid surface roots within the top 18 inches of soil. If any roots must be removed or exposed, they shall be cleanly cut and not left exposed above the ground surface.
- t. **At the time of application for construction permit**, the applicant shall clearly show on the project plans all revised drainage patterns that are within 100 feet upslope of any existing oak trees to remain. All reasonable efforts shall be made to maintain the historic drainage patterns and flow volumes to these oak trees. If not feasible, the drainage plan shall clearly show which trees would be receiving more or less drainage. If the historic drainage pattern and flow volume cannot be maintained for these trees, the drainage plan shall be submitted to the Environmental Division for review. The Environmental Division will determine the significance to the affected trees from the proposed drainage pattern changes and require appropriate replacement levels (up to 4:1 replacement ratio). The applicant agrees that at such time, the County-recommended level of tree replacement along with any suggested

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- measures to improve the success of existing and new trees will be completed. Additional monitoring of existing and/or replacement trees may also be required.
- u. To ensure future construction on this site does not impact cultural resources that may be on the site, the applicant shall have a phase one surface survey **prior to application for construction permits**. This survey shall survey the whole site; identify all areas of potential cultural resources located on site. Based on the results of the survey all development and construction activities shall avoid all areas of potential cultural resources. This shall be demonstrated on construction plans.
  - v. **At the time of application for construction permit**, the applicant shall submit building plan that clearly adhere to the following mitigations:
    - i. Air conditioning or a mechanical ventilation system.
    - ii. Windows and sliding glass doors mounted in low air infiltration rate frames (0.5cfm or less, per ANSI specifications).
    - iii. Solid core exterior doors with perimeter weather stripping and threshold seals
    - iv. Exterior walls consist of stucco or brick veneer. Wood siding with a ½" minimum thickness fiberboard ("soundboard") underlayer may also be used.
    - v. Glass in both windows and doors should not exceed 20% of the floor area in a
    - vi. The interior sheetrock of exterior wall assemblies should be attached to studs by resilient channels. Staggered studs or double walls are acceptable alternatives.
    - vii. Window assemblies should have a laboratory-tested STC rating of 30 or greater. (Windows that provide superior noise reduction capability and that are laboratory-tested are sometimes called "sound-rated" windows. In general, these windows have thicker glass and/or increased air space between panes. In contrast, standard energy-conservation double-pane glazing with a 1/8" or 1/4" air space may be less effective in reducing noise from some noise sources than single-pane glazing).
    - viii. For aircraft noise exposure, same as 3a-c plus:
    - ix. Fireplaces should not be allowed.
    - x. Solid sheeting with a minimum thickness of ½" should underlay roofing materials.
    - xi. Ceilings should be attached to joists by resilient channels.
    - xii. Skylights should not be allowed in occupied rooms.
    - xiii. Roof or attic vents facing the noise source should be baffled (see Appendix C in Acoustical Design Manual for an example of a suitable vent treatment).
    - xiv. The building is located between the noise source and the outdoor activity area such that it shields the outdoor activity area.

### **Miscellaneous**

- 18. This subdivision is also subject to the standard conditions of approval for all subdivisions using community water and septic tanks, a copy of which is attached hereto and incorporated by reference herein as though set forth in full.
- 19. Applicant shall file with the Department of Public Works an application requesting apportionment of any unpaid assessments under the Improvement Bond Act of 1915, in compliance with Section 8740.1 of the Streets and Highways Code of the State of California. Said apportionment must be completed prior to filing the map.
- 20. All timeframes on approved tentative maps for filing of final parcel are measured from the date the Review Authority approves the tentative map, not from any date of possible reconsideration action.

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STANDARD CONDITIONS OF APPROVAL FOR SUBDIVISIONS  
USING COMMUNITY WATER AND SEPTIC TANKS

1. Community water and fire protection shall be obtained from the community water system.
2. Operable water facilities from an approved community water source shall be assured prior to the filing of the final map. A "final will serve" letter shall be obtained and submitted to the county Health Department for review and approval stating there are operable water facilities immediately available for connection to the parcels created. Water main extensions, laterals to each parcel and related facilities (except well(s)) may be bonded for subject to the approval of county Public Works, the county Health Department and the public water utility.
3. No residential building permits are to be issued until the community (public) water system is operational with a domestic water supply permit issued by the county Health Officer.
4. In order to protect the public safety and prevent possible groundwater pollution, any abandoned wells on the property shall be destroyed in accordance with the San Luis Obispo County Well Ordinance Chapter 8.40, and county Health Department destruction standards. The applicant is required to obtain a permit from the county Health Department.
5. When a potentially operational or operational auxiliary water supply in the form of an existing well(s) is located on the parcels created and approved community water is proposed to serve the parcels, the community water supply shall be protected from real or potential cross-contamination by means of an approved cross-connection control device installed at the meter or property line service connection prior to occupancy. (Chapter 8.30, San Luis Obispo County Ordinance)
6. On-site systems that are in conformance with the county-approved Central Coast Regional Water Quality Control Board basin plan will be an acceptable method of sewage disposal, until public sewers may become available.
7. No sewage disposal system installations are to be placed closer than 100 feet from the top of any perennial or continuous creek banks, drainage swales or areas subject to inundation.
8. For parcels created with approved community (public) water but no community sewers, the approved on-site sewage disposal systems shall be designed, where feasible, for ease in ultimate sewerage.
9. Sewage disposal systems shall be separated from any individual domestic well and/or agricultural well, as follows: 1) leaching areas, feed lots, etc., one hundred (100) feet and bored seepage pits (dry wells), one hundred and fifty (150) feet. Domestic wells intended to serve multiple parcels or 25 or more individuals at least 60 days out of the year shall be separated by a minimum of two hundred (200) feet from a leachfield, two hundred and fifty (250) feet from seepage pits or dry wells.

10-15

10. Sewage disposal systems installed on slopes in excess of 20% shall be designed and certified by a registered civil engineer or geologist and submitted to the county Planning and Health Departments for review and approval prior to the issuance of a building permit. Consultants shall determine geologically stable building sites and sewage disposal for each parcel, including evaluations of hillside stability under the most adverse conditions including rock saturation and seismic forces. Slopes in excess of 30% are not considered suitable or practical for on-site subsurface sewage disposal.
11. An encroachment permit shall be obtained from county Public Works for any work to be done within the county right-of-way.
12. An encroachment permit be obtained from the California Department of Transportation for any work to be done on the state highway.
13. Any existing reservoir or drainage swale on the property shall be delineated on the map.
14. Prior to submission of the map "checkprints" to county Public Works, the project shall be reviewed by all applicable public utility companies and a letter be obtained indicating required easements.
15. Required public utility easements be shown on the map.
16. Approved street names shall be shown on the map.
17. The applicant shall comply with state, county and district laws/ordinances applicable to fire protection and consider increased fire risk to area by the subdivision of land proposed.
18. The developer shall submit a preliminary subdivision guarantee to county Public Works for review prior to the filing of the map.
19. Any private easements on the property shall be shown on the map with recording data.
20. All conditions of approval herein specified, unless otherwise noted, are to be complied with prior to the filing of the map.
21. After approval by the Review Authority, compliance with the preceding conditions will bring the proposed subdivision in conformance with the Subdivision Map Act and county ordinances.
22. A map shall be filed in accordance with Subdivision Map Act and county ordinance prior to sale, lease, or financing of the lots proposed by the subdivision.
23. A tentative map will expire 24 months from the effective date of the approval. Tentative maps may be extended. Written requests with appropriate fees shall be submitted to the Planning Department prior to the expiration date. The expiration of tentative maps will terminate all proceedings on the matter.



**EXHIBIT**

## Atascadero Vicinity

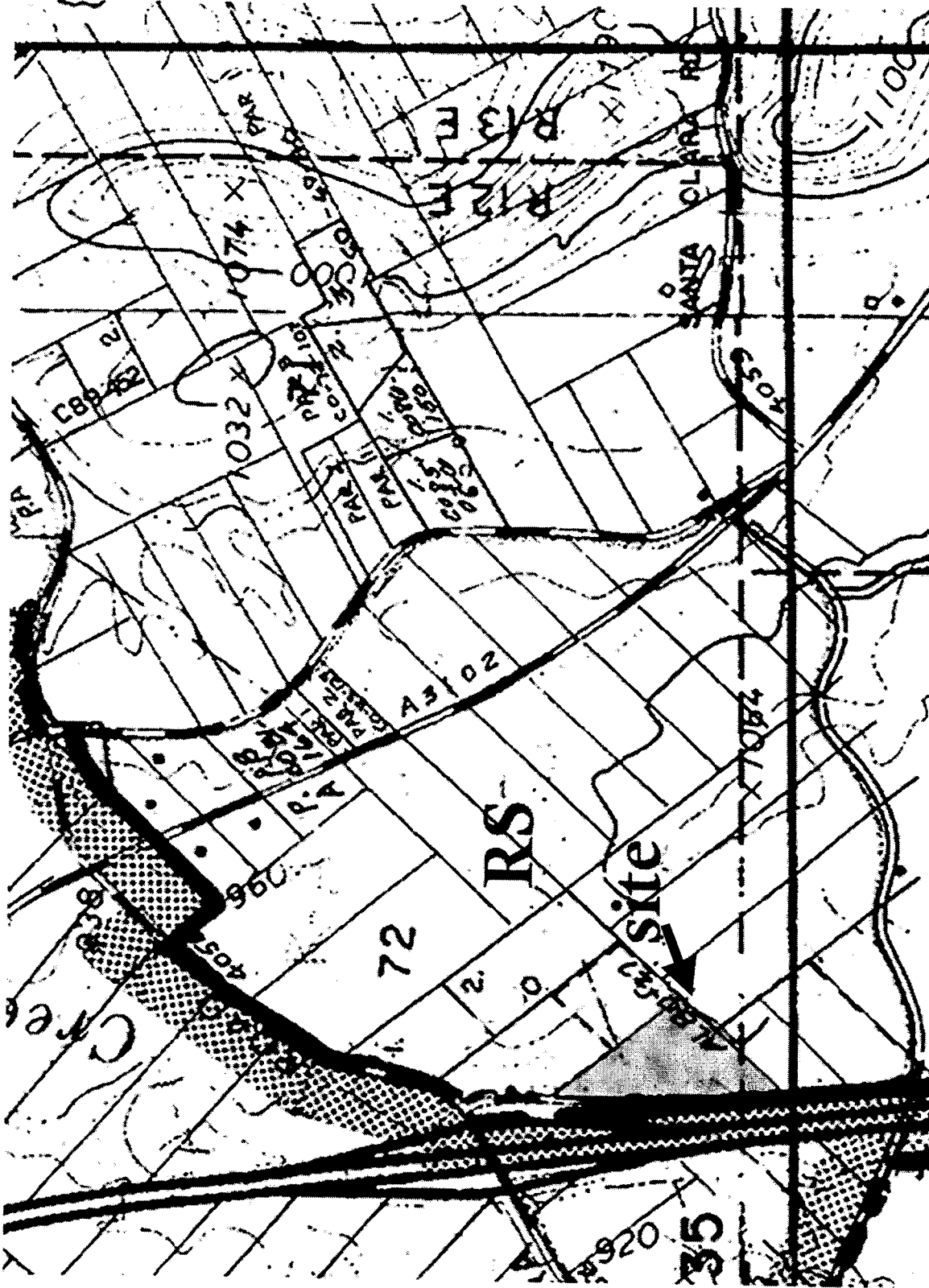
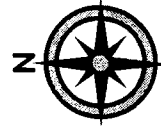


# PROJECT

Parcel Map CO 04-0531  
Tharp SUB2004-00114



10-17



EXHIBIT

Land Use Category

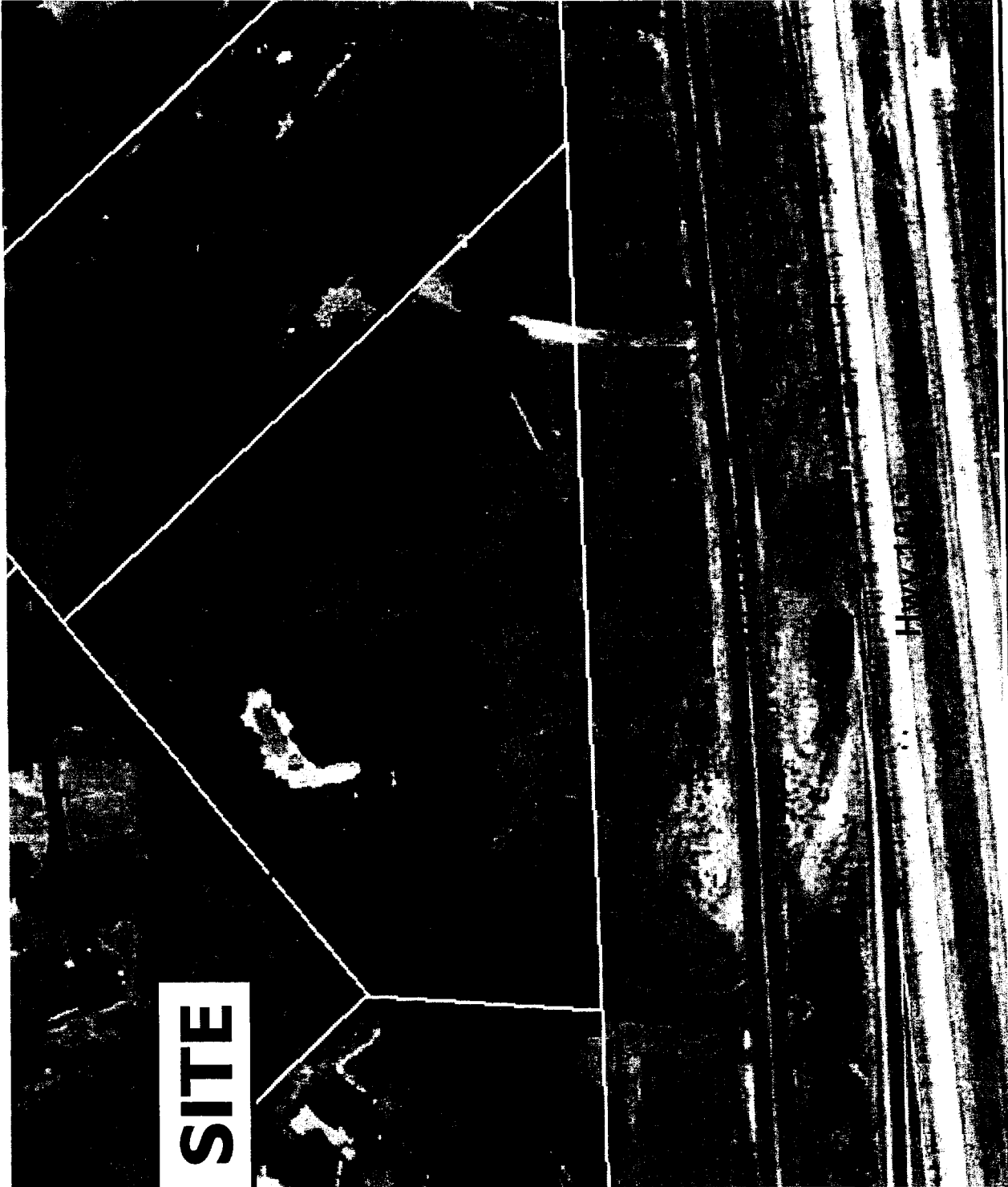


PROJECT

Parcel Map CO 04-0531  
Tharp SUB2004-00114

10-18

SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



PROJECT

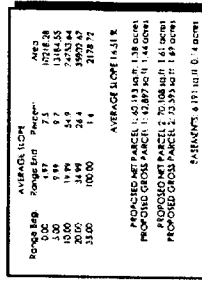
Parcel Map CO 04-0531  
Tharp SUB2004-00114

EXHIBIT



Aerial Photo

10-19



U S H W Y 1 0 1



## Vesting Tentative Map

**PROJECT**  
Parcel Map CO 04-0531  
Tharp SUB2004-00114

# Santa Margarita Advisory Counsel

## 10-20

THARP - TDC PROJECT, MEETS CRITERIA . QUALIFIES AS TDC RECEIVER SITE  
EXTENSIVE DISCUSSION AS TO WHAT PARCEL SIZES COULD BE, NUMBER OF  
DWELLINGS, ETC.

CHARLIE WHITNEY - WOULD APPLICANT BE WILLING TO FOREGO SECONDARY  
DWELLINGS ON THE PROPERTY IF SMAAC GAVE A RECOMMENDATION ON THIS?  
APPLICANT - MR THARP IN AGREEMENT, HAS NO PLANS FOR SECONDARY DWELLINGS

WES BURK - WOULD LIKE TO SEE SMAAC USE IT'S "MUSCLE" TO GET GUIDELINES IN  
PLACE FOR TDC PROGRAM INSTEAD OF NEGOTIATING WITH INDIVIDUAL APPLICANTS  
WHO ARE FOLLOWING THE CURRENT RULES  
DISCUSSION

MOTION: (FADELEY/BLAKELY) SMAAC HAS NO COMMENT AT THIS TIME  
DISCUSSION

MOTION WITHDRAWN (FADELEY)

MOTION : (WHITEFORD/BLAKELY) SMAAC RECOMMENDS THAT APPLICANT BE  
ALLOWED TO PROCEED WITH THE CONDITION THAT THERE IS A MAP RESTRICTION TO  
NOT ALLOW SECONDARY DWELLINGS 14 FAVOR, 3 OPPOSE, 1 ABSTAIN MSP



RECEIVED

OCT 15 2004

Planning & Bldg

10-21

DATE: October 13, 2004

TO: Elizabeth Kavanaugh  
San Luis Obispo County Dep. of Planning & Building – North County Team

FROM: Andy Mutziger, Air Quality Specialist *ASM*  
San Luis Obispo County Air Pollution Control District

SUBJECT: Sharp Residential Suburban Subdivision, South Atascadero

Thank you for including the APCD in the environmental review process. We have completed our review of the proposed project located at 12250 San Antonio Road, one mile south of the Atascadero urban reserve line (URL). The location has two homes on 3.13 acres and seeks to acquire a transfer development credit (TDC) in order to subdivide the property below the Planning Area Standard minimum parcel size of 2.5 acres. *The following are APCD comments that are pertinent to this project.*

This project provides an interesting example of the potential for urban sprawl. Currently, the Planning Department is working with the APCD and other agencies to develop new Planning Area Standards that allow secondary dwellings for this area of Atascadero. The current standards disallow secondary dwellings on the property; however, there are two properties currently on site. Should this subdivision project be approved, under the new proposed Planning Area Standard, both parcels would be eligible to develop a secondary dwelling, thus resulting in a potential for four dwellings on the current parcel.

That said, this project, like so many others, falls below our emissions significance thresholds and is, therefore, unlikely to trigger a finding of significant air quality impacts requiring mitigation. However, we are very concerned with the cumulative effects resulting from the ongoing fracturing of rural land and increasing residential development in areas far removed from commercial services and employment centers. Such development fosters continued dependency of private auto use as the only viable means of access to essential services and other destinations. This is inconsistent with the land use planning strategies recommended in the Clean Air Plan, which promote the concept of compact development by directing growth to areas within existing urban and village reserve lines. The CAP recommends that areas outside the urban/village reserve lines be retained as open space, agriculture and very low-density residential development.

The District understands that under the County's Land Use Ordinance parcels within the Residential Suburban category can be subdivided to a minimum lot size of one acre unless there is a Planning Area Standard restriction as is the case for this project. We also recognize that there are significant human-interest issues that are difficult to overcome, such as the desire of some applicants to settle estate matters through property splits. However, we believe it is

10-22

Tharp Residential Suburban Subdivision  
October 13, 2004  
Page 2 of 2

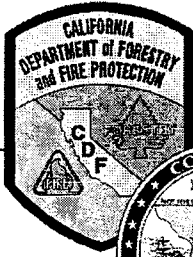
important to emphasize to decision makers that subdivision and future development on these, and similar rural parcels throughout the county allows a pattern of development to continue that is ultimately unsustainable. Such development cumulatively contributes to existing stresses on air quality, circulation and other natural and physical resources and infrastructure that cannot be easily mitigated. We do not support this type of development.

Should this project continue to move forward against our recommendation, we would like to be included in the review of future development proposals for the property. We can provide information on local, state, and federal air quality requirements brought on by construction and operational activities such as nuisance control, developmental burning, demolition, Naturally Occurring Asbestos, and permits.

Again, thank you for the opportunity to comment on this proposal. If you have any questions or comments, or if you would like to receive an electronic version of this letter, feel free to contact me at 781-5912.

AJM/sll

10-23



## CDF/San Luis Obispo County Fire Department

635 N. Santa Rosa • San Luis Obispo • California 93405

September 14, 2005

County of San Luis Obispo  
Department of Planning and Building  
County Government Center  
San Luis Obispo, CA 93408

Subject: Parcel Map Project # SUB2004-00114/CO 04-0531 (Tharp)

Dear Ms. Kavanaugh,

I have reviewed the referral for the parcel map plans for the proposed two parcel subdivision project located at 12250 San Antonio Rd. Atascadero, CA. This project is located approximately 13 minutes from the closest CDF/San Luis Obispo County Fire Station. The project is located in State Responsibility Area for wildland fires. It is designated a High Fire Severity Zone. This project is required to comply with all fire safety rules and regulations including the California Fire Code, the Public Resources Code and any standards referenced therein.

The following conditions will apply to this project:

### Access Road

An access road must be constructed to CDF/County Fire standards when it serves more than one parcel; access to any industrial or commercial occupancy, or vehicular access to a single parcel with more than two buildings or four or more dwelling units.

- The maximum length of a dead end road, including all dead-end roads accessed from that dead-end road, shall not exceed the following cumulative lengths, regardless of the number of parcels served:
  - Parcels less than 1 acres                      800 feet
  - Parcels 1 acre to 4.99 acres                      1320 feet
  - Parcels 5 acres to 19.99 acres                      2640 feet
  - Parcels 20 acres or larger                      5280 feet
- The road must be 18 feet in width and an all weather surface.
- If the road exceeds 12% it must have a non-skid paved surface.
- Roads may not exceed 16% without special mitigation and shall not exceed 20%.
- All roads must be able to support a 20 ton fire engine.
- Road must be named and addressed including existing buildings.
- A turnaround must be provided if the road exceeds 150 feet.

10-24

- Vertical clearance of 13'6" is required.

### Driveway

A driveway is permitted when it serves no more than two buildings, with no more than 3 dwelling units or a single parcel, and any number of accessory buildings.

- Driveway width for high and very high fire severity zones:
  - 0-49 feet, 10 feet is required
  - 50-199 feet, 12 feet is required
  - Greater than 200 feet, 16 feet is required
- Turnarounds must be provided if driveway exceeds 300 feet.
- *EXCEPTION: Driveways in moderate fire zone only require a 10 foot driveway.*

### Water Supply

The following applies:

☒ This project will require a community water system which meets the minimum requirements of the Appendix III-A & III-B of the California Fire Code.

☐ A water storage tank with a capacity determined by a factor of the cubic footage of the structure will be required to serve each existing and proposed structure. A residential fire connection must be located within 50 to 150 feet of the buildings.

### Fuel Modification

- Vegetation must be cleared 10 feet on each side of the driveways and access road.
- Maintain around all structures a 100 foot firebreak. This does not include fire resistive landscaping.
- Remove any part of a tree that is within 10 feet of a chimney.
- Maintain any tree adjacent to or overhanging any building free of deadwood.
- Maintain the roof of any structure free of leaves, needles or other flammable material.

The proposed parcel split and all existing structures do not meet California Fire Code standards for maximum distance from the nearest fire hydrant. The existing single family residence on proposed parcel #2 is greater than 600+ feet from the fire hydrant located on San Antonio Road near Santa Clara Road. The applicant shall be required to provide a new fire hydrant located between the two existing driveways so that neither of the existing dwellings is greater than 250 feet vehicular travel distance from the fire hydrant. Atascadero Mutual Water Company will be the primary point of contact for matters related to adding a fire hydrant within this area. This proposed parcel split does not require the addition of an access road that serves both structures, but the existing driveways shall be required to meet all standards relative to grade/width, all-weather surface and paving if required. The proposed parcel split is located within a "High" Fire Hazard Severity area and will require that each existing dwelling provide a minimum of 100 feet of "defensible space" around the structure. Tree limbs shall be no closer than 10 feet to the eaves and chimneys of the existing dwellings.

CDF/San Luis Obispo County Fire Department approves the request for a reduction of the required 30 foot setback from the property line for the existing dwelling on parcel #2 with the following mitigation requirements:

1. Applicant must receive approval for reduction of minimum setback requirement from the San Luis Obispo County Department of Planning and Building.

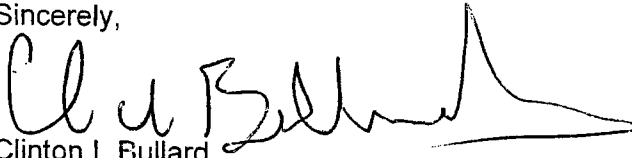


10-25

2. The additional fire hydrant must be installed, inspected and approved by both the Atascadero Mutual Water Company and CDF/San Luis Obispo County Fire Department.
3. The approved reduced setback for the existing single family residence located on proposed parcel #2 shall be no less than 7 feet. No development will be allowed within this 7 foot setback area and all vegetation, landscaping and planting will be kept to an absolute minimum.
4. No flammable or combustible materials shall be stacked or stored within the setback area.
5. Future development on site may trigger significant fire/life safety requirements due to the project's location and the reduced setback approval.

If I can provide additional information or assistance, please call 543-4244.

Sincerely,

A handwritten signature in black ink, appearing to read "Clinton I. Bullard". The signature is fluid and cursive, with a long horizontal stroke at the end.

Clinton I. Bullard  
Fire Inspector

cc: Tharp, Applicant  
Kirk Consulting, Agent



# County of San Luis Obispo • Public Health Department

10-26

## Environmental Health Service

2156 Sierra Way • P.O. Box 148.  
San Luis Obispo, California 93406  
(805) 781-5544 • FAX (805) 781-4211

Gregory Thomas, M.D., M.P.H.  
County Health Officer  
Public Health Director

Curtis A. Batson, R.E.H.S.  
Director

March 15, 2005

Kirk Consulting  
9720 Atascadero Avenue  
Atascadero, CA 93422



RECEIVED

3.17.05

**ATTN: JAMIE KIRK**  
**RE: TENTATIVE PARCEL MAP CO 04-0531 (THARP)**  
**A.P.N.# 059-341-021**

### Water Supply

This office is in receipt of a will serve letter from the Atascadero Mutual Water Company that states each proposed parcel is already in receipt of water service and will continue to receive water service. The letter reveals that there are currently two active 5/8" water services to this property.

### Wastewater Disposal

Individual wastewater disposal systems, designed and constructed to meet county and state requirements, should adequately serve the parcels. Be advised that both proposed parcels already have existing septic systems currently serving the existing residences.

**CO 04-0531** is approved for Health Agency subdivision map processing.

*Laurie A. Salo*

LAURIE A. SALO, R.E.H.S.  
Senior Environmental Health Specialist  
Land Use Section

c: Kami Griffin, County Planning  
North County Team, County Planning  
AMWC  
Gary Tharp, Owner



12  
JSM EK  
SAN LUIS OBISPO COUNTY  
DEPARTMENT OF PLANNING AND BUILDING

10-27  
Holladay

RECEIVED

OCT 07 2004

VICTOR HOLANDA, AICP  
DIRECTOR

THIS IS A NEW PROJECT REFERRAL

DATE:

9/27/04 10/06/04

From:

Parks

To:

North Co. Team  
(Please direct response to the above)

THARP

SUB2004-00114/CO 04-0531  
Project Name and Number

Development Review Section (Phone:

-788-2009)

\*or ask for the  
(assigned Planner.)

PROJECT DESCRIPTION: Subdivision of a 3.13 acre parcel into 2 parcels using TDCs. Located in Atascadero off San Antonio Road, immediately east of Hwy. 101. New parcels would be 1.61 acres and 1.38 acres. \*Parcel map CO 04-0531.

Return this letter with your comments attached no later than:

10/12/04 Thank You.

PART I

IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

☒ YES  
☐ NO

(Please go on to Part II)

(Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II

ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

☒ NO  
☐ YES

(Please go on to Part III)

(Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III

INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.

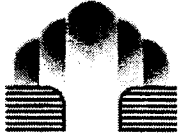
Repeal Quimby fees and applicable Building Division fees.

09/28/04  
Date

Jan Dileo  
Name

4089  
Phone

10-28



Richard  
Marshall/PubWorks/COSLO  
06/19/2006 12:06 PM

To Elizabeth Kavanaugh/Planning/COSLO@Wings  
cc  
bcc  
Subject Re: Old referral w/o road improvements CO 04-0531

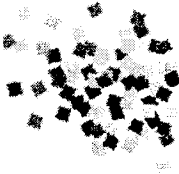
We should apply the same approach to all subdivisions: require the road improvement as a condition, which they can easily meet if the road's already satisfactory. In this case, it would read:

"San Antonio Road widened to complete the project side of an A-1 (rural) section fronting the property."

Please note this will potentially result in grading back the embankment along the road. The tentative PM indicates there are some pines which will likely be affected; there may also be some oaks affected. Please ask the applicant's engineer to evaluate this and let you know how many trees would need to be mitigated. Thanks.

-Richard Marshall  
SLO County Public Works  
Development Services Engineer

Elizabeth Kavanaugh/Planning/COSLO



Elizabeth  
Kavanaugh/Planning/COSLO  
06/12/2006 01:00 PM

To Richard Marshall/PubWorks/COSLO@Wings  
cc  
Subject Old referral w/o road improvements CO 04-0531

Hi Richard,

I am doing a staff report on this South Atascadero TDC parcel map and the Public Works referral has no road improvements (like Volbrecht did) I want to see if you want to put in some stock language like we did for Volbrecht. If so please just email back what you want and I'll put it in the conditions.

Elizabeth Kavanaugh  
Planner and Development Review  
County of San Luis Obispo  
805-788-2010



10-29 12  
SAN LUIS OBISPO COUNTY  
DEPARTMENT OF PLANNING AND BUILDING

SEP 27 2004

VICTOR HOLANDA, AICP  
DIRECTOR

EK  
THIS IS A NEW PROJECT REFERRAL

DATE:

9/27/04

FROM

PW

FROM  
TA

North Co. Team

(Please direct response to the above)

THARP

SUB2004-00114/CO 04-0531  
Project Name and Number

Development Review Section (Phone:

- 788-2009 )

\*or ask for the  
(assigned Planner.)

PROJECT DESCRIPTION: Subdivision of a 3.13 acre parcel into 2 parcels using TDCs. Located in Atascadero off San Antonio Road, immediately east of Hwy. 101. New parcels would be 1.61 acres and 1.38 acres. \*Parcel map CO 04-0531.

Return this letter with your comments attached no later than:

10/12/04 Thank You.

PART I

IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

☒ YES  
☐ NO

(Please go on to Part II)

(Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II

ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

☒ NO  
☐ YES

(Please go on to Part III)

(Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III

INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.

Recommend Approval - STUCKS ATTACHED

15 Oct 2004  
Date

GOODWIN  
Name

5252  
Phone

CONDITIONS OF APPROVAL FOR CO 04-0531, THARP/KIRK**Approved Project**

This approval authorizes the division of a \_\_\_\_\_ acre parcel into \_\_\_\_\_ parcels of \_\_\_\_\_ **acres / square feet** each.

**Access and Improvements**

- ☐ Roads and/or streets to be constructed to the following standards:
- \_\_\_\_\_ constructed to a \_\_\_\_\_ section within a \_\_\_\_\_ foot dedicated right-of-way.
  - \_\_\_\_\_ widened to complete a \_\_\_\_\_ section fronting the property.
  - \_\_\_\_\_ constructed to a \_\_\_\_\_ section from the property to \_\_\_\_\_ (minimum paved width to be \_\_\_\_\_ feet).
- ☐ The applicant offer for dedication to the public by certificate on the map or by separate document:
- For future road improvement \_\_\_\_\_ feet along \_\_\_\_\_ to be described as \_\_\_\_\_ feet from the recorded centerline.
  - For future road improvement \_\_\_\_\_ feet along \_\_\_\_\_ to be described as \_\_\_\_\_.
  - For road widening purposes \_\_\_\_\_ feet along \_\_\_\_\_, to be described as \_\_\_\_\_ feet from the recorded centerline.
  - The \_\_\_\_\_ foot road easement as shown on the tentative parcel map with a \_\_\_\_\_ foot radius property line return at the intersection of \_\_\_\_\_.
  - A \_\_\_\_\_ foot radius property line return at the intersection of \_\_\_\_\_.
  - The \_\_\_\_\_ foot road easement terminating in a county cul-de-sac as shown on the tentative map.

- ☐ The intersection of \_\_\_\_\_ and \_\_\_\_\_ be designed in accordance with California Highway Design Manual.
- ☐ Access be denied to lots \_\_\_\_\_ from \_\_\_\_\_ **10-31** and that this be by certificate and designation on the map.
- ☐ The future alignment of \_\_\_\_\_ shall be shown on the map as reserved for future public right-of-way.
- ☐ A private easement be reserved on the map for access to lots \_\_\_\_\_.
- ☐ A practical plan and profile for access to lots \_\_\_\_\_ be submitted to the Department of Public Works and the Department of Planning and Building for approval.
- ☐ All grading shall be done in accordance with Appendix 33 of the Uniform Building Code. All lot lines shall be considered as Site Area Boundaries with slopes setback accordingly.

### Improvement Plans

- ☐ Improvement plans shall be prepared in accordance with San Luis Obispo County Improvement Standards and Specifications by a Registered Civil Engineer and submitted to the Department of Public Works and the county Health Department for approval. The plan is to include:
  - a. Street plan and profile.
  - b. Drainage ditches, culverts, and other structures (if drainage calculations require).
  - c. Water plan (County Health).
  - d. Sewer plan (County Health).
  - e. Grading and erosion control plan for subdivision related improvement locations.
  - f. Public utility plan, showing all existing utilities and installation of all utilities to serve every lot.
  - g. Tree removal/retention plan for trees to be removed and retained associated with the required improvement for the land division to be approved jointly with the Department of Planning and Building.
  - h. Trail plan, to be approved jointly with the Park Division.



- ☒ The applicant shall enter into an agreement with the county for the cost of checking the map, the improvement plans if any, and the cost of inspection of any such improvements by the county or its designated representative. The applicant shall also provide the county with an Engineer of Work Agreement retaining a Registered Civil Engineer to furnish construction phase services, Record Drawings and to certify the final product to the Department of Public Works.
- ☐ The Registered Civil Engineer, upon completion of the improvements, must certify to the Department of Public Works that the improvements are made in accordance with all conditions of approval, including any related land use permit conditions and the approved improvement plans. All public improvements shall be completed prior to occupancy of any new structure.
- ☐ If environmental permits from the Army Corps of Engineers or the California Department of Fish and Game are required for any public improvements that are to be maintained by the County, the applicant or his engineer, prior to the approval of the plans by the Department of Public Works shall:
  - a. Submit a copy of all such permits to the Department of Public Works OR
  - b. Document that the regulatory agencies have determined that said permit is not longer required.

## Drainage

10-32

- ☐ \_\_\_\_\_ is not capable of carrying additional runoff. Construct off-site drainage facilities for an adequate outlet, or provide evidence of adequate drainage easements.
- ☐ The existing drainage swale(s) to be contained in drainage easement(s) dedicated on the map.
- ☐ Submit complete drainage calculations to the Department of Public Works for review and approval.
- ☐ If calculations so indicate, drainage must be **retained/detained** in a drainage basin on the property. The design of the basin to be approved by the Department of Public Works, in accordance with county standards.
- ☐ If a drainage basin is required, the drainage basin along with rights of ingress and egress be:
  - a. granted to the public in fee free of any encumbrance.
  - b. offered for dedication to the public by certificate on the map with an additional easement reserved in favor of the owners and assigns.
  - c. reserved as a drainage easement in favor of the owners and assigns.
- ☐ If a drainage basin is required, a zone of benefit be formed within \_\_\_\_\_ for maintenance of the drainage basin. Application to be filed with the The Department of Public Works Administrator.
- ☐ If a drainage basin is required, this development be annexed to \_\_\_\_\_ for maintenance of the drainage basin. Evidence of acceptance to be filed with the Department of Public Works.
- ☐ The project shall comply with the requirements of the National Pollutant Discharge Elimination System Phase I and/or Phase II storm water program.

## Wastewater Disposal

- ☐ Prior to the filing of the final parcel or tract map, the applicant shall submit to and be jointly approved by the county Department of Planning and Building and Health Department, results of percolation tests and the log or logs of soil borings performed by a registered civil engineer. For this purpose, the applicant shall perform one or more soil borings to be a minimum depth of ten (10) feet in the area of the appropriate area of the proposed sewage disposal system to determine the: a) subsurface soil conditions, (example: impermeable strata which act as barriers to the effective percolation of sewage); b) presence of groundwater; c) separation between sewage disposal saturation areas and groundwater; d) borings shall be as deep as necessary below the proposed on-site disposal area to assure required separation. The applicant must perform a minimum of three (3) percolation test holes, to be spaced uniformly in the area of the proposed sewage disposal system. (Parcel(s) \_\_\_\_\_, only).
- ☐ A community septic system shall be installed with a centralized leaching area and shall have a 100% or greater additional expansion area. The area for the community septic tank system and disposal area shall **be granted in fee on the map to the appropriate maintenance agency for maintenance with the right of ingress and egress / shall be kept as open space within easement for sewage treatment purposes granted to a homeowner's association.** Impervious paving over a disposal area is not considered acceptable.



10-33

- ☐ A long term community septic tank and disposal area maintenance plan be submitted to the the Department of Public Works and Health Department and the Regional Water Quality Control Board for review prior to the filing of the final parcel or tract map.
- ☐ The community sewage system shall be designed by a Registered Civil Engineer and operated in accordance with county, state, federal and maintenance entity laws, standards and requirements. A waste discharge permit, if required, shall be issued by the Central Coast State Regional Water Quality Control Board prior to the filing of the final parcel or tract map.
- ☐ This land division shall be annexed to \_\_\_\_\_ prior to the filing of the final parcel or tract map for **water service/water and sewer service/sewer maintenance/community septic system maintenance/**\_\_\_\_\_.

### Soils Report

- ☐ A final soils report by a Registered Civil Engineer be submitted for review prior to the final inspection of the improvements.
- ☐ Three (3) copies of a Preliminary Soils Report prepared by a Registered Civil Engineer in accordance with Sections 17953, 17954, 17955 of the California Health and Safety Code shall be submitted to the Public Works, Health and Planning and Building Departments prior to the filing of the final parcel or tract map. The date and person who prepared the report are to be noted on the map.

### Utilities

- ☐ Electric and telephone lines shall be installed **underground / overhead**.
- ☐ Cable T.V. conduits shall be installed in the street.
- ☐ Gas lines shall be installed.
- ☐ A \_\_\_\_\_ feet public utility easement on private property along \_\_\_\_\_, plus those additional easements required by the utility company, be shown on the final parcel or tract map.

### Design

- ☐ The lots shall be numbered in sequence.
- ☐ The \_\_\_\_\_ on lot \_\_\_\_\_ be removed or brought into conformance with the **Land Use Ordinance / Coastal Zone Land Use Ordinance** prior to filing the final parcel or tract map. A demolition permit may be required.
- ☐ The lot area of \_\_\_\_\_ shall contain a minimum area of \_\_\_\_\_ exclusive of area shown for rights of way and any easement that limits the surface use for building construction (Section 22/23.04.021).

- ☐ The applicant shall apply to the Department of Planning and Building for approval of new street names prior to the filing of the final parcel or tract map. Approved street names shall be shown on the final parcel or tract map.

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#### Vector Control and Solid Waste

- ☐ A determination of method of pick-up shall be specified by the waste handler and if centralized facilities for the pick-up are required, provisions shall be made within the project for central facilities that meet **Land Use Ordinance / Coastal Zone Land Use Ordinance** requirements for trash enclosures. If centralized facilities are established, this shall include provisions for recycling if service is available or subsequent installation of such facilities if recycling service becomes available in the future.

#### Fire Protection

- ☐ Provide minimum fire flow of \_\_\_\_\_ gallons per minute as per nationally recognized standard. Fire flows to be maintained for a minimum two-hour duration.
- ☐ The applicant shall obtain a fire safety clearance letter from the California Department of Forestry (CDF)/County Fire Department establishing fire safety requirements prior to filing the final parcel or tract map.
- ☐ Designate a fire lane within all the driveway areas. This lane to be minimum width of twenty (20) feet. (USE FOR MULTI-FAMILY/COMMERCIAL PROJECTS ONLY)

#### Parks and Recreation (Quimby) Fees

- ☐ Unless exempted by Chapter 21.09 of the county Real Property Division Ordinance or California Government Code section 66477, prior to filing of the final parcel or tract map, the applicant shall pay the in-lieu" fee that will be used for community park and recreational purposes as required by Chapter 21.09. The fee shall be based on the total **number of new parcels or remainder parcels shown on the map that do not already have legal residential units on them / or the number of dwelling units proposed in the case of a condominium, stock cooperative, or community apartment project.**
- ☐ For subdivisions of less than five parcels that are not to be used for residential purposes, if a building permit is requested for construction of a residential structure or structures on one or more of the parcels created by this subdivision within four years of recordation of the map, the Quimby Ordinance fee specified in the county fee schedule shall be paid by the owner of each parcel as a condition for the issuance of such permit.

#### Affordable Housing Fee

- ☐ Prior to filing the final parcel or tract map, the applicant shall pay an affordable housing in-lieu fee of 3.5 percent of the adopted public facility fee effective at the time of recording for each residential lot. This fee shall not be applicable to any official recognized affordable housing included within the residential project.

## Easements

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- ☐ The property owner shall grant an avigation easement to the county of San Luis Obispo. The avigation easement document shall be prepared, reviewed and approved by County Counsel prior to filing of the final parcel or tract map.
- ☐ An open space easement be recorded for the open space parcel(s). It is to be held ***in single ownership / in common by the Homeowner's Association / or transferred to a public trust or conservancy agency approved by the Department of Planning and Building***. The open space parcel is to be maintained as such in perpetuity.

## Landscape Plans

- ☐ ***If a drainage basin*** is required, then submit detailed landscaping plans in compliance with Section 22/23.04.180 et seq. to the Department of Planning and Building for review and approval prior to filing of the final parcel or tract map. Said plans to include location, species, size, and method of maintenance of all proposed plant materials. All proposed plant materials shall be of a drought tolerant variety and be sized to provide a mature appearance within three years of installation. Plan to include:
  - a. Drainage basin fencing. (*ONLY USE IF THE DRAINAGE BASIN HAS A DEPTH OF 2 FEET OR GREATER AS MEASURED FROM THE TOP OF THE RIM TO THE LOWEST PORTION OF THE BASIN*)
  - b. Drainage basin perimeter landscape screening. (*ONLY USE FOR FENCED BASINS*)
  - c. Landscaping for erosion control.
- ☐ All approved landscaping shall be installed or bonded for prior to filing of the final parcel or tract map and thereafter maintained in a viable condition on a continuing basis. If bonded for, landscaping shall be installed within \_\_\_\_\_ days of completion of the improvements.

## Mitigations PUT ANY MITIGATIONS FROM DEVELOPER STATEMENT HERE **ONLY IF THEY CAN BE COMPLETED PRIOR TO THE RECORDATION OF THE MAP**

- ☐ \_\_\_\_\_
- ☐ \_\_\_\_\_

## Additional Map Sheet

- ☐ The applicant shall prepare an additional map sheet to be approved by the county Department of Planning and Building and the Department of Public Works. The additional map sheet shall be recorded with the final parcel or tract map. The additional map sheet shall include the following:

### CHOOSE APPLICABLE PROVISIONS

- a. That the owner(s) of lot(s) \_\_\_\_\_ is responsible for on-going maintenance of drainage basin fencing in perpetuity.
- b. That the owner(s) of lot(s) \_\_\_\_\_ is responsible for on-going maintenance of ***drainage basin / adjacent*** landscaping in a viable condition on a continuing basis into perpetuity.
- c. That secondary dwellings shall not be allowed on ***all lots within the land division / on lots*** \_\_\_\_\_.

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- d. Designated building sites (and access drives) shall be shown on the additional map sheet reflecting the approved tentative map. **At the time of application for construction permits**, the applicant shall clearly delineate the approved building site and access drive on the project plans.
- e. Notification to prospective buyers of the county's Right to Farm Ordinance currently in effect at any time said deed(s) are recorded.
- f. Notification of the consequences of existing and potential intensive agricultural operations on adjacent parcels including but not limited to noise, dust, odor and agricultural chemicals.
- g. An agricultural buffer prohibiting residential structures, consisting of \_\_\_\_\_ feet over lots \_\_\_\_\_, shall be shown on the additional map sheet. This buffer shall become null and void on individual parcels within this subdivision, if the adjacent Agriculture land use category is changed or if any existing commercial agricultural business on adjacent parcels effecting this subdivision cease operation for a minimum of one year. **At the time of application for construction permits**, the applicant shall clearly delineate the agricultural buffer on the project plans.
- h. The limits of inundation from a 100 year storm over lots \_\_\_\_\_ from \_\_\_\_\_ **creek / river** shall be shown on the additional map and note the required building restriction in the on the sheet.
- i. If improvements are bonded for, all public improvements (roads, drainage, and utilities) shall be completed prior to occupancy of any new structure.
- j. A notice that no construction permits will be given a final inspection until the fire safety conditions established in the letter dated \_\_\_\_\_ from the California Department of Forestry (CDF)/County Fire Department are completed. **Prior to occupancy or final inspection**, which ever occurs first, the applicant shall obtain final inspection approval of all required fire/life safety measures.
- k. Note to potential buyers and future owners of the property that the project is in an area from which combustion and petroleum-type odor complaints are frequently received by the Air Pollution Control District. The District Hearing Board has issued a nuisance abatement order which should improve the air quality in the Nipomo area; however, clean up is a lengthy process, therefore buyers of new lots should be advised that these conditions exist. *(ONLY USE IF WITHIN SOUTH COUNTY PLANNING AREA OR NEAR THE PLANT IN THE SAN LUIS BAY PLANNING AREA)*
- l. In the event archaeological resources are unearthed or discovered during any construction activities, the following standards apply:
  - A. Construction activities shall cease, and the Environmental Coordinator and Planning Department shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.
  - B. In the event archaeological resources are found to include human remains, or in any other case where human remains are discovered during construction, the County Coroner is to be notified in addition to the Planning Department and Environmental Coordinator so that proper disposition may be accomplished.
- m. PUT ANY MITIGATIONS FROM DEVELOPER'S STATEMENT HERE **ONLY IF THEY GO BEYOND RECORDATION OF THE MAP** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## Covenants, Conditions and Restrictions

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- ☐ The developer shall submit proposed covenants, conditions, and restrictions for the subdivision to the county Department of Planning and Building for review and approval. The CC&R's shall provide at a minimum the following provisions:

### CHOOSE APPLICABLE PROVISIONS

- a. On-going maintenance of drainage basin fencing in perpetuity.
- b. On-going maintenance of **drainage basin / adjacent** landscaping in a viable condition on a continuing basis into perpetuity.
- b. Maintenance of drainage basin landscaping.
- c. Maintenance of common areas.
- d. Secondary dwellings shall not be allowed.
- e. Designated building sites (and access drives) shall be shown on an exhibit attached to the CC&R's reflecting the approved tentative map.
- f. Notification to prospective buyers of the county's Right to Farm Ordinance currently in effect at any time said deed(s) are recorded.
- g. Notification of the consequences of existing and potential intensive agricultural operations on adjacent parcels including but not limited to noise, dust, odor and agricultural chemicals.
- h. An agricultural buffer prohibiting residential structures, consisting of \_\_\_\_\_ feet over lots \_\_\_\_\_, shall be shown on an exhibit attached to the CC&R's. This buffer shall become null and void on individual parcels within this subdivision, if the adjacent Agriculture land use category is changed or if any existing commercial agricultural business on adjacent parcels effecting this subdivision cease operation for a minimum of one year.
- i. Maintenance of all local streets within the subdivision until acceptance by a public agency.
- j. The limits of inundation from a 100 year storm over lots \_\_\_\_\_ from \_\_\_\_\_ **creek / river** shall be shown on an exhibit attached to the CC&R's and note the required building restriction in the in the CC&R's.
- k. Note to potential buyers and future owners of the property that the project is in an area from which combustion and petroleum-type odor complaints are frequently received by the Air Pollution Control District. The District Hearing Board has issued a nuisance abatement order which should improve the air quality in the Nipomo area; however, clean up is a lengthy process, therefore buyers of new lots should be advised that these conditions exist. *(ONLY USE IF WITHIN SOUTH COUNTY PLANNING AREA OR NEAR THE PLANT IN THE SAN LUIS BAY PLANNING AREA)*
- l. \_\_\_\_\_  
\_\_\_\_\_

### Low Cost Housing (USE IN COASTAL ZONE ONLY)

- ☐ Provide \_\_\_\_\_ residential units for low and moderate income families as defined by Section 50093 of the Health and Safety Code as part of the proposed project or elsewhere in the community. The agreement with the county for the development will include acknowledgment that it is feasible to provide a level of affordable housing in conjunction with this project. If qualified buyers have not purchased any of the \_\_\_\_\_ units within six months of the units being available for sale, and evidence can be provided that shows a reasonable advertising campaign was used to attract qualified buyers, the applicant may be relieved from the requirements to sell the units to qualified buyers.

Miscellaneous

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This subdivision is also subject to the standard conditions of approval for all subdivisions using **community water and sewer / community water and septic tanks / individual wells and septic tanks**, a copy of which is attached hereto and incorporated by reference herein as though set forth in full.

- ☐ A stormwater pollution plan may be necessary from the Regional Water Quality Control Board. Provide evidence that it has been obtained or is unnecessary prior to filing the map.
- ☐ Applicant shall file with the Department of Public Works an application requesting apportionment of any unpaid assessments under the Improvement Bond Act of 1915, in compliance with Section 8740.1 of the Streets and Highways Code of the State of California. Said apportionment must be completed prior to filing the map.
- ☐ Prior to the sale of the designated remainder or omitted parcel, if applicable, the applicant shall obtain approval of a certificate of compliance or conditional certificate of compliance from the county.
- ☐ All timeframes on approved tentative maps for filing of final parcel or tract maps are measured from the date the Review Authority approves the tentative map, not from any date of possible reconsideration action.

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COUNTY OF SAN LUIS OBISPO  
INITIAL STUDY SUMMARY - ENVIRONMENTAL CHECKLIST

Project Title & No. Tharp Parcel Map ED 05-133 SUB 2004-00114

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:** The proposed project could have a "Potentially Significant Impact" for at least one of the environmental factors checked below. Please refer to the attached pages for discussion on mitigation measures or project revisions to either reduce these impacts to less than significant levels or require further study.

<input checked="" type="checkbox"/> Aesthetics	<input type="checkbox"/> Geology and Soils	<input type="checkbox"/> Recreation
<input type="checkbox"/> Agricultural Resources	<input type="checkbox"/> Hazards/Hazardous Materials	<input type="checkbox"/> Transportation/Circulation
<input type="checkbox"/> Air Quality	<input checked="" type="checkbox"/> Noise	<input type="checkbox"/> Wastewater
<input checked="" type="checkbox"/> Biological Resources	<input type="checkbox"/> Population/Housing	<input type="checkbox"/> Water
<input checked="" type="checkbox"/> Cultural Resources	<input type="checkbox"/> Public Services/Utilities	<input type="checkbox"/> Land Use

**DETERMINATION:** (To be completed by the Lead Agency)

On the basis of this initial evaluation, the Environmental Coordinator finds that:

- ☐ The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

ELIZABETH KAVANAUGH  
Prepared by (Print)

Elizabeth Kavanagh  
Signature

Date

Steve McMasers  
Reviewed by (Print)

Steve McMasers  
Signature

Ellen Carroll,  
Environmental Coordinator (for)

4/14/06  
Date

**Project Environmental Analysis**

The County's environmental review process incorporates all of the requirements for completing the Initial Study as required by the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Initial Study includes staff's on-site inspection of the project site and surroundings and a detailed review of the information in the file for the project. In addition, available background information is reviewed for each project. Relevant information regarding soil types and characteristics, geologic information, significant vegetation and/or wildlife resources, water availability, wastewater disposal services, existing land uses and surrounding land use categories and other information relevant to the environmental review process are evaluated for each project. Exhibit A includes the references used, as well as the agencies or groups that were contacted as a part of the Initial Study. The Environmental Division uses the checklist to summarize the results of the research accomplished during the initial environmental review of the project.

Persons, agencies or organizations interested in obtaining more information regarding the environmental review process for a project should contact the County of San Luis Obispo Environmental Division, Rm. 310, County Government Center, San Luis Obispo, CA, 93408-2040 or call (805) 781-5600.

**A. PROJECT**

**DESCRIPTION:** Request by Gary Tharp for a tentative parcel map to subdivide an existing 3.13-acre parcel into two parcels of 1.6 and 1.4-acres each for the purpose of sale and/or development. The project includes off-site road improvements to San Antonio Road. The proposed project is within the Residential Suburban land use category and is located on the east side of San Barbara Road, approximately on quarter of a mile south of the the Santa Barbara Road and San Antonio Road intersection, southeast of the City of Atascadero. The site is in the Salinas River planning area.

ASSESSOR PARCEL NUMBER(S): 059-341-021

SUPERVISORIAL DISTRICT # 5

**B. EXISTING SETTING**

PLANNING AREA: Salinas River, Rural

LAND USE CATEGORY: Residential Suburban

COMBINING DESIGNATION(S): None

EXISTING USES: s , accessory structures and two residences

TOPOGRAPHY: Moderately sloping to steeply sloping

VEGETATION: Grasses , scattered oaks , ornamental landscaping , monterey pines

PARCEL SIZE: 3. acres

SURROUNDING LAND USE CATEGORIES AND USES:

<i>North:</i> Residential Suburban; residential	<i>East:</i> Residential Suburban; residential
<i>South:</i> Residential Suburban; residential	<i>West:</i> Residential Suburban; residential



## C. ENVIRONMENTAL ANALYSIS

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During the Initial Study process, several issues were identified as having potentially significant environmental effects (see following Initial Study). Those potentially significant items associated with the proposed uses can be minimized to less than significant levels.

### COUNTY OF SAN LUIS OBISPO INITIAL STUDY CHECKLIST

1.	<b>AESTHETICS - Will the project:</b>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a)	<i>Create an aesthetically incompatible site open to public view?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	<i>Introduce a use within a scenic view open to public view?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c)	<i>Change the visual character of an area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	<i>Create glare or night lighting, which may affect surrounding areas?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e)	<i>Impact unique geological or physical features?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f)	<i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project site is located on the east side of San Antonio Road, just east of Highway 101, southeast of the City of Atascadero. The project consists of moderately to steeply sloping topography supporting pine and scattered oak trees, grasses, forbs, and shrubs. The project site is developed with two residences and accessory structures. The surrounding area is characterized by gently to moderately sloping topography vegetated with grassland, trees, developed with residences and accessory agricultural uses including livestock grazing and equestrian facilities. The project site and surrounding similarly developed areas are visible from San Antonio Road and Highway 101.

**Impact.** The applicant is proposing to subdivide the project site into two parcels, approximately 1.6 and 1.4 acres each for the purpose of sale and/or development. The TDC designation would allow for a slightly higher development density on the parcel than otherwise allowed, while still preserving the rural character of the area by reducing conversion pressure on adjacent agricultural lands. One residence is located on each of the proposed parcels. This subdivision would not significantly change the visual character of the area. However, future residential development on the project site could be visible from San Antonio Road and Highway 101.

**Mitigation/Conclusion.** To ensure future development is not seen from a public road or Highway 101 the applicant has agreed to mitigations for future construction including: muted colors, landscaping and minimizing cut slopes

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## 2. AGRICULTURAL RESOURCES

- Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Convert prime agricultural land to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Impair agricultural use of other property or result in conversion to other uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Conflict with existing zoning or Williamson Act program?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The proposed project site is located in the Residential Suburban land use category. The soil types on the project site for "non-irrigated" and "irrigated" soil, as described in the Natural Resource Conservation Service (NRCS) Soil Survey, are Santa Lucia-Lopez complex, (15 - 50% slope) and Linne-Calodo complex, (9 - 30% slope). As described in the Natural Resource Conservation Service Soil Survey, the "non-irrigated" soil class is "IV" to "VI", and the "irrigated" soil class is "NA to IV." Surrounding land uses consist of residential development with secondary uses including horse pastures and livestock grazing. The proposed project includes zoning of the property as a Transfer of Density Credit (TDC) receiver site, which would allow a higher development density on the parcel than what would otherwise be allowed under the Residential Suburban land use category in the project area, while still preserving the rural character of the area by reducing conversion pressure on nearby agricultural lands. The minimum parcel size for the South Atascadero area is established as 2.5 acres to provide open space areas for animal husbandry and preservation of the rural character.

**Impact** -The proposed parcel split and designation as a TDC receiver site would allow for establishment of two parcels 1.6 and 1.4 acres each, and although the proposed parcels do not meet the minimum size requirement for the project area, the site is consistent with the goals of the TDC program. Creation of one additional parcel with one single-family residence is not anticipated to cause a significant long-term impact to continued use of the property or adjacent lands for animal husbandry or other agricultural uses due to TDC program conditions prohibiting further subdivisions and development of the parcel. The property would receive a TDC receiver site combining designation, which would prohibit further subdivision and land use category changes while allowing one residence on each parcel. No direct impacts to adjacent agricultural lands would occur as a result of the proposed project.

**Mitigation/Conclusion.** The TDC receiver site designation and creation of one additional parcel would not cause direct impacts to nearby accessory agricultural uses. Implementation of the restrictions placed on the property as a TDC receiver site and prohibition of future subdivisions and land use category changes, would reduce the conversion pressure on lands west of Highway 101. No mitigation measures are required.

## 3. AIR QUALITY - Will the project:

Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
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3. AIR QUALITY - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate any state or federal ambient air quality standard, or exceed air quality emission thresholds as established by County Air Pollution Control District?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Expose any sensitive receptor to substantial air pollutant concentrations?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create or subject individuals to objectionable odors?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Be inconsistent with the District's Clean Air Plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** Based on the latest air monitoring station information (per the County's RMS annual report, 2004), the trend in air quality in the general area is moderately improving, where unacceptable PM10 levels were exceeded once in 2003, which is down from 2002 (two exceedances). The Air Pollution Control District (APCD) estimates that automobiles currently generate about 40% of the pollutants responsible for ozone formation. Nitrous oxides (NOx) and reactive organic gasses (ROG) pollutants (vehicle emission components) are common contributors towards this chemical transformation into ozone. Dust, or particulate matter less than ten microns (PM10) that become airborne and find their way into the lower atmosphere, can act as the catalyst in this chemical transformation to harmful ozone. In part, the land use controls currently in place for new development relating to ROG and NOx (i.e. application of the CEQA Air Quality Handbook) have helped reduce the formation of ozone.

The Air Pollution Control District (APCD) has developed the CEQA Air Quality Handbook to evaluate project specific impacts and help determine if air quality mitigation measures are needed, or if potentially significant impacts could result. To evaluate long-term emissions, cumulative effects, and establish countywide programs to reach acceptable air quality levels, a Clean Air Plan has been adopted (prepared by APCD).

**Impact.** There is one existing residence on each of the proposed parcels. No future construction is expected and no additional impacts are expected.

Generally, the APCD does not support fracturing of rural lands and residential development removed from employment and commercial services. The Clean Air Plan includes land use management strategies to guide decision-makers on land use approaches that result in improved air quality. The proposed project is somewhat inconsistent with the "Planning Compact Communities" strategy, where increasing development densities within urban areas is preferable over increasing densities in rural areas. Increasing densities in rural areas results in longer single-occupant vehicle trips and increases emissions. In this instance, this partial inconsistency is not considered significant for the following reasons: 1) the proposed density of this subdivision is still consistent with what was assumed in the last update of the Clean Air Plan which, based in part on this density, approved the necessary control measures to achieve acceptable air quality attainment in the future; 2) standard forecast modeling (e.g., ARB URBEMIS2001) identifies that vehicles in the near future will produce substantially lower

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emissions (e.g., use of electric, hybrid and advanced technology vehicles); and 3) the TDC designation would allow for a slightly higher development density on the parcel than otherwise allowed, while reducing conversion pressure in other rural areas. Based on the above discussion, given the smaller number of potential new residences (one additional residence), both individual and cumulative impacts are expected to be less than significant as it relates to the Clean Air Plan land use strategies.

**Mitigation/Conclusion.** No significant air quality impacts were identified, and no mitigation measures are necessary.

4. BIOLOGICAL RESOURCES - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Result in a loss of unique or special status species or their habitats?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Reduce the extent, diversity or quality of native or other important vegetation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Impact wetland or riparian habitat?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Introduce barriers to movement of resident or migratory fish or wildlife species, or factors, which could hinder the normal activities of wildlife?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The following habitats were observed on the proposed project: Grasses , scattered oaks and forbs. Based on the latest California Diversity database and other biological references, the following species or sensitive habitats were identified:

Plants: Santa Margarita manzanita (*Arctostaphylos pilosula* ssp. *pilosula*) List 1B app. 0.18 miles west of site. Straight- or One-awned spineflower (*Chorizanthe rectispina*) List 1B app. 0.37 miles west of site.

Wildlife: None

Habitats: Blue Oak Woodland (Scattered <10%) on site.

**Sensitive Plant Species.** Based on the California Natural Diversity Database (CNDDDB), the proposed project site is located in the vicinity of two special status plant species: straight-awned spineflower (*Chorizanthe rectispina*), a California Native Plant Society (CNPS) List 1B (rare, threatened, or endangered in California and elsewhere) annual herb; and Santa Margarita manzanita (*Arctostaphylos pilosula*), a CNPS List 1B evergreen shrub.

Straight-awned spineflower occurs within barren sandy or gravelly soils in association with chaparral shrubs, dry woodland, or grasslands. The blooming period for this species is May through July. Santa Margarita manzanita occurs within closed-cone coniferous forest, chaparral, and cismontane woodland.

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Native and Other Important Vegetation. Mature valley oak (*Quercus lobata*) and coast live oak (*Quercus agrifolia*) trees are located in the northern corner and along the southeastern property boundary.

Sensitive Wildlife Species. The valley and coast live oak trees onsite provide habitat for nesting raptors and other birds, which are protected by California Fish and Game Code 3503.

**Impact.** Proposed Parcels 1 and 2 are already developed with one residence each and no secondary dwellings are allowed in this area per the current Land Use Ordinance , therefore no impacts are anticipated with this subdivision. However, future construction of a new house or expansion of the house on proposed parcel two could impact the surrounding plant life. A larger house would be allowed on proposed parcel two because the existing house is a non-conforming permitted secondary dwelling. Therefore, the house on parcel two was subject to the standards for secondary dwellings, which require a maximum of 1,200 square feet. Once the subdivision is finalized, the house on parcel two would no longer be required to meet the smaller house sizes required for a secondary dwelling

**Mitigation/Conclusion.** To ensure future construction on this site does not impact sensitive plants that may be on the site the applicant will have a botany survey completed prior to application for construction permits. This survey shall survey the whole site, identify all sensitive plant located on site and provide mitigation measures for any identified impact. If oak trees are removed or impacted for future construction the applicant shall meet county removal or replacement standards

**5. CULTURAL RESOURCES -**  
***Will the project:***

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <b><i>Disturb pre-historic resources?</i></b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <b><i>Disturb historic resources?</i></b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <b><i>Disturb paleontological resources?</i></b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <b><i>Other:</i></b> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Setting/Impact.** The project is located in an area historically occupied by the Obispeno Chumash and Salinan. The project is located in an area that would be considered culturally sensitive due to its location near the Salinas River corridor. No historic structures are present and no paleontological resources are known to exist in the area.

**Mitigation/Conclusion.** The applicant is proposing to subdivide the project site into two parcels, approximately 1.6 and 1.4 acres each. One residence is located on each of the proposed parcels and secondary dwelling are prohibited in this area. No significant cultural resource impacts are expected to occur due to this subdivision. However, future development on these parcels may impacts cultural resources. To ensure future construction on this site does not impact cultural resources, the applicant has agreed to complete a phase one-archeology survey of the site, prior to application for construction permits. This survey shall identify any cultural resources on the site and provide mitigation measures for any identified impact.

**6. GEOLOGY AND SOILS -**  
***Will the project:***

Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
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## 6. GEOLOGY AND SOILS - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Result in exposure to or production of unstable earth conditions, such as landslides, earthquakes, liquefaction, ground failure, land subsidence or other similar hazards?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Be within a California Geological Survey "Alquist-Priolo Earthquake Fault Zone"?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in soil erosion, topographic changes, loss of topsoil or unstable soil conditions from project-related improvements, such as vegetation removal, grading, excavation, or fill?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Change rates of soil absorption, or amount or direction of surface runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Include structures located on expansive soils?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Change the drainage patterns where substantial on- or off-site sedimentation/ erosion or flooding may occur?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Involve activities within the 100-year flood zone?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Be inconsistent with the goals and policies of the County's Safety Element relating to Geologic and Seismic Hazards?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Preclude the future extraction of valuable mineral resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** GEOLOGY - The topography of the project is moderately to steeply sloping. The area proposed for development is outside of the Geologic Study Area designation. The landslide risk potential is considered low. The liquefaction potential during a ground-shaking event is considered low. Active faulting is known to exist on or near the subject property (app. 1.5 miles east of property). The project is not within a known area containing serpentine or ultramafic rock or soils.

**DRAINAGE** – The area proposed for development is outside the 100-year Flood Hazard designation. The closest creek (Paloma Creek) from the proposed development is approximately 0.08 miles to the west. As described in the Natural Resource Conservation Service Soil Survey, the soil is considered very poorly to not well drained. For areas where drainage is identified as a potential issue, the LUO (Sec. 22.52.080) includes a provision to prepare a drainage plan to minimize potential drainage

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impacts. When required, this plan would need to address measures such as: constructing on-site retention or detention basins, or installing surface water flow dissipaters. This plan would also need to show that the increased surface runoff would have no more impacts than that caused by historic flows.

**SEDIMENTATION AND EROSION** – The soil types include: Santa Lucia-Lopez complex, (15 -50 % slope), and Linne-Calodo complex, (9 - 30 % slope). As described in the NRCS Soil Survey, the soil surface is considered to have low to moderate erodibility and low to moderate shrink-swell characteristics.

When highly erosive conditions exist, a sedimentation and erosion control plan is required (LUO Sec. 22.52.090) to minimize these impacts. When required, the plan is prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts. Projects involving more than one acre of disturbance are subject to the preparation of a Storm Water Pollution Prevention Plan (SWPPP), which focuses on controlling storm water runoff. The Regional Water Quality Control Board is the local extension who monitors this program.

**Impact.** As proposed, the project will result in the zero disturbance.

**Mitigation/Conclusion.** There is no evidence that measures above what will already be required by ordinance or codes are needed.

7. HAZARDS & HAZARDOUS MATERIALS - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Result in a risk of explosion or release of hazardous substances (e.g. oil, pesticides, chemicals, radiation) or exposure of people to hazardous substances?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Interfere with an emergency response or evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose people to safety risk associated with airport flight pattern?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Increase fire hazard risk or expose people or structures to high fire hazard conditions?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create any other health hazard or potential hazard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project is not located in an area of known hazardous material contamination. The project is within a high severity risk area for fire. The project is not within the Airport Review area.

**Impact.** The project does not propose the use of hazardous materials. The project does not present a significant fire safety risk. The project is not expected to conflict with any regional evacuation plan.

**Mitigation/Conclusion.** No significant impacts as a result of hazards or hazardous materials are anticipated, and no mitigation measures are necessary.

8. NOISE - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Expose people to noise levels that exceed the County Noise Element thresholds?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Generate increases in the ambient noise levels for adjoining areas?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Expose people to severe noise or vibration?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The site is approximately 0.04 miles east of Highway 101. The topography between the highway and the site consists of the roadway located in a cut below embankment. In reviewing the County's Noise Element, the noise contour maps indicated the site is within the 70dB noise contour.

**Impacts.** The existing residents on the project site are exposed to unacceptable levels of road-related noise from Highway 101, which is considered a potentially significant impact. Indoor and outdoor activity areas for lots one and two could exceed the standards of the Noise Element. Both proposed lots have existing residences and secondary dwellings are not allowed in this area. This subdivision will not create a significant noise impact because two residences already exist and these lots do not allow additional development. However, because noise generated by Highway 101 has been identified as an impact, any future development on this lot must mitigate for this impact.

**Mitigation/Conclusion.** The applicant is proposing to subdivide the project site into two parcels, approximately 1.6 and 1.4 acres each. One residence is located on each of the proposed parcels and secondary dwellings are prohibited in this area. No significant noise impacts are expected to occur due to this subdivision. However, future development through expansion or replacement of the existing development could result in the exposure of residents to unacceptable noise levels. Future development should include mitigation to ensure future construction on this site will meet the standards of the Noise Element. The applicant has agreed to implement the standardized noise mitigation up to 75 dB

9. POPULATION/HOUSING - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>



**9. POPULATION/HOUSING -**  
*Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
b) <i>Displace existing housing or people, requiring construction of replacement housing elsewhere?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create the need for substantial new housing in the area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Use substantial amount of fuel or energy?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** In its efforts to provide for affordable housing, the county currently administers the Home Investment Partnerships (HOME) Program and the Community Development Block Grant (CDBG) program, which provides limited financing to projects relating to affordable housing throughout the county.

Title 18 of the County Code (Public Facilities Fees) requires that an affordable housing mitigation fee be imposed as a condition of approval of any new residential development project.

**Impact.** The project will not result in a need for a significant amount of new housing, and will not displace existing housing.

**Mitigation/Conclusion.** Prior to map recordation, the applicant will pay an affordable housing mitigation fee of 3.5 percent of the adopted Public Facility Fee. This fee will not apply to any county-recognized affordable housing included within the project.

**10. PUBLIC SERVICES/UTILITIES -**  
*Will the project have an effect upon, or result in the need for new or altered public services in any of the following areas:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Fire protection?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Police protection (e.g., Sheriff, CHP)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Schools?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Roads?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Solid Wastes?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other public facilities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project area is served by the County Sheriff's Department and CDF/County Fire as the primary emergency responders. The closest CDF fire station (Parkhill Station 40) is approximately 6

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miles to the southeast. The closest Sheriff substation is in Templeton, which is approximately 9.5 miles north of the proposed project. The project is located in the Atascadero Unified School District.

**Impact.** No significant project-specific impacts to utilities or public services were identified.

**Mitigation/Conclusion.** No impacts were identified ,therefore no mitigation is necessary.

11. RECREATION - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Increase the use or demand for parks or other recreation opportunities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Affect the access to trails, parks or other recreation opportunities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The County Trails Plan does not show that a potential trail goes through the proposed project. The project is not proposed in a location that will affect any trail, park or other recreational resource.

**Impact.** The proposed project will not create a significant need for additional park or recreational resources because both proposed lot have existing residences on them and secondary dwellings are not allowed in this area.

**Mitigation/Conclusion.** No significant recreation impacts are anticipated, and no mitigation measures are necessary.

12. TRANSPORTATION/ CIRCULATION - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Increase vehicle trips to local or areawide circulation system?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Reduce existing "Levels of Service" on public roadway(s)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create unsafe conditions on public roadways (e.g., limited access, design features, sight distance, slow vehicles)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Provide for adequate emergency access?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Result in inadequate parking capacity?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) <i>Result in inadequate internal traffic circulation?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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**12. TRANSPORTATION/  
CIRCULATION - Will the project:**

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
g) <i>Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., pedestrian access, bus turnouts, bicycle racks, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) <i>Result in a change in air traffic patterns that may result in substantial safety risks?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** This project site accesses onto San Antonio Road, which is operating at acceptable levels. Referrals were sent to Public Works and Caltrans. No significant traffic-related concerns were identified.

**Impact.** The proposed project will generate minimal additional trips per day, based on the Institute of Traffic Engineer's manual. The site is developed with two residences and secondary dwellings will not be allowed. One of the existing dwellings was originally constructed as a secondary dwelling and its size was limited. As a result of the subdivision, that dwelling could be replaced with a larger unit or expanded. This expansion may generate an insignificant amount of additional traffic. This small amount of traffic will not result in a significant change to the existing road service or traffic safety levels.

**Mitigation/Conclusion.** No significant impacts are anticipated, and no mitigation measures are necessary.

**13. WASTEWATER - Will the project:**

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate waste discharge requirements or Central Coast Basin Plan criteria for wastewater systems?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Change the quality of surface or ground water (e.g., nitrogen-loading, daylighting)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Adversely affect community wastewater service provider?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** As described in the NRCS Soil Survey (see Geology section for soil types), the main limitations for on-site wastewater systems relates to: slow percolation, steep slopes, shallow depth to bedrock. These limitations are summarized as follows:

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**Shallow Depth to Bedrock** – indicates that there may not be sufficient soil depth to provide adequate soil filtering of effluent before reaching bedrock. Once effluent reaches bedrock, chances increase for the effluent to infiltrate cracks that could lead directly to groundwater sources or near wells without adequate filtering, or allow effluent to daylight where bedrock is exposed to the earth's surface. To comply with the Central Coast Basin Plan, additional information is needed prior to issuance of a building permit, such as borings at leach line locations, to show that there will be adequate separation between leach line and bedrock.

**Steep Slopes** – where portions of the soil unit contain slopes steep enough to result in potential daylighting of wastewater effluent. To comply with the Central Coast Basin Plan, additional information is needed prior to issuance of a building permit, such as slope comparison with leach line depths, to show that there is no potential of effluent “daylighting” to the ground surface.

**Slow Percolation** – is where fluid percolates too slowly through the soil for the natural processes to effectively break down the effluent into harmless components. The Basin Plan identifies the percolation rate should be less than 120 minutes per inch. To achieve compliance with the Central Coast Basin Plan, additional information will be needed prior to issuance of a building permit that shows the leach area can adequately percolate to achieve this threshold.

**Impact.** The existing development on the site uses an on-site system as its means to dispose of wastewater. There is no indication that the existing systems are not functioning adequately. Based on the proposed project, the existing system has the capacity to handle the project's effluent.

**Mitigation/Conclusion.** No significant impacts as a result wastewater are anticipated, and no mitigation measures are necessary.

<b>14. WATER - Will the project:</b>		<b>Potentially Significant</b>	<b>Impact can &amp; will be mitigated</b>	<b>Insignificant Impact</b>	<b>Not Applicable</b>
a)	<b>Violate any water quality standards?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	<b>Discharge into surface waters or otherwise alter surface water quality (e.g., turbidity, temperature, dissolved oxygen, etc.)?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	<b>Change the quality of groundwater (e.g., saltwater intrusion, nitrogen-loading, etc.)?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	<b>Change the quantity or movement of available surface or ground water?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	<b>Adversely affect community water service provider?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	<b>Other:</b> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project proposes to use a community system (Atascadero Mutual) as its water source. The Environmental Health Division has reviewed the project for water availability and has determined that there is preliminary evidence that there will be sufficient water available to serve the proposed project. Based on available information, the proposed water source is not known to have any

significant availability or quality problems.

The topography of the project is moderately sloping. The closest creek from the proposed development is approximately .08 miles away. As described in the NRCS Soil Survey, the soil surface is considered to have low erodibility.

Projects involving more than one acre of disturbance are subject to preparing a Storm Water Pollution Prevention Plan (SWPPP) to minimize on-site sedimentation and erosion. When work is done in the rainy season, the County Ordinance requires that temporary sedimentation and erosion control measures be installed during the rainy season.

**Impact.** On water use, because the proposed lots will have one existing residence each and no secondary dwellings are allowed in the area indoor water usage would not increase.

Regarding surface water quality, as proposed, the project will not result in any immediate site disturbance. The project is not within close proximity to surface water sources. In the future, site disturbance could occur due to the expansion or replacement of the existing dwellings.

**Mitigation/Conclusion.** Standard drainage and erosion control measures will be required for the proposed project and will provide sufficient measures to adequately protect surface water quality. Since no potentially significant water quantity or quality impacts were identified, no specific measures above standard requirements have been determined necessary.

15. LAND USE - Will the project:	Inconsistent	Potentially Inconsistent	Consistent	Not Applicable
a) <i>Be potentially inconsistent with land use, policy/regulation (e.g., general plan [county land use element and ordinance], local coastal plan, specific plan, Clean Air Plan, etc.) adopted to avoid or mitigate for environmental effects?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Be potentially inconsistent with any habitat or community conservation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Be potentially inconsistent with adopted agency environmental plans or policies with jurisdiction over the project?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Be potentially incompatible with surrounding land uses?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting/Impact.** Surrounding uses are identified on Page 2 of the Initial Study. The proposed project was reviewed for consistency with policy and/or regulatory documents relating to the environment and appropriate land use (e.g., County Land Use Ordinance, Local Coastal Plan, etc.). Referrals were sent to outside agencies to review for policy consistencies (e.g., CDF for Fire Code, APCD for Clean Air Plan, etc.). The project was found to be consistent with these documents (refer also to Exhibit A

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on reference documents used). The project is not within or adjacent to a Habitat Conservation Plan area. Surrounding land uses include residences and accessory agricultural uses. The proposed project is compatible with these surrounding uses because it is a subdivision of one approximately 3.0-acre parcel into two parcels of approximately 1.4 and 1.6 acres each. Although the proposed density and future development is slightly greater than what is allowed in the existing land use category, the proposed parcel split is consistent with land divisions on neighboring parcels and the TDC designation would restrict further subdivision of the project site.

**Mitigation/Conclusion.** The applicant's proposal includes a request for the parcel to be designated a TDC receiving site. This would allow the subdivision of a 3 acre parcel into two parcels of 1.4 and 1.6 acres each, despite a Salinas River Area Plan standard that requires a 2.5-acre minimum parcel size for this area of the county. This project meets the criteria for a TDC receiving site; therefore, it is consistent with the County's land use policies and no additional measures are required. In addition, the Land Use Ordinance prohibits secondary dwellings in the south Atascadero area. No mitigation measures are required.

**16. MANDATORY FINDINGS OF SIGNIFICANCE - Will the project:**

Potentially Significant      Impact can & will be mitigated      Insignificant Impact      Not Applicable

- a) *Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?*      ☐      ☐      ☒      ☐
- b) *Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)*      ☐      ☐      ☒      ☐
- c) *Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?*      ☐      ☐      ☒      ☐

Cumulative impacts of this project are in public services and recreation. They have been discussed in the Public Service and Recreation section of this document.

For further information on CEQA or the county's environmental review process, please visit the County's web site at "www.sloplanning.org" under "Environmental Review", or the California Environmental Resources Evaluation System at "http://ceres.ca.gov/topic/env\_law/ ceqa/ guidelines/" for information about the California Environmental Quality Act.

**Exhibit A - Initial Study References and Agency Contacts**

The County Planning or Environmental Division have contacted various agencies for their comments on the proposed project. With respect to the subject application, the following have been contacted (marked with an ☒) and when a response was made, it is either attached or in the application file:

<b>Contacted</b>	<b>Agency</b>	<b>Response</b>
<input checked="" type="checkbox"/>	County Public Works Department	In File**
<input checked="" type="checkbox"/>	County Environmental Health Division	In File**
<input type="checkbox"/>	County Agricultural Commissioner's Office	Not Applicable
<input type="checkbox"/>	County Airport Manager	Not Applicable
<input type="checkbox"/>	Airport Land Use Commission	Not Applicable
<input checked="" type="checkbox"/>	Air Pollution Control District	In File**
<input type="checkbox"/>	County Sheriff's Department	Not Applicable
<input type="checkbox"/>	Regional Water Quality Control Board	Not Applicable
<input type="checkbox"/>	CA Coastal Commission	Not Applicable
<input type="checkbox"/>	CA Department of Fish and Game	Not Applicable
<input type="checkbox"/>	CA Department of Forestry	Not Applicable
<input checked="" type="checkbox"/>	CA Department of Transportation	In File**
<input type="checkbox"/>	Community Service District	Not Applicable
<input checked="" type="checkbox"/>	Other <u>Atascadero Water District</u>	Not Applicable
<input type="checkbox"/>	Other _____	Not Applicable

\*\* "No comment" or "No concerns"-type responses are usually not attached

The following checked ("☒") reference materials have been used in the environmental review for the proposed project and are hereby incorporated by reference into the Initial Study. The following information is available at the County Planning and Building Department.

<input checked="" type="checkbox"/> Project File for the Subject Application	<input type="checkbox"/> Area Plan and Update EIR
<u>County documents</u>	<input type="checkbox"/> Circulation Study
<input type="checkbox"/> Airport Land Use Plans	<u>Other documents</u>
<input checked="" type="checkbox"/> Annual Resource Summary Report	<input checked="" type="checkbox"/> Archaeological Resources Map
<input type="checkbox"/> Building and Construction Ordinance	<input checked="" type="checkbox"/> Area of Critical Concerns Map
<input type="checkbox"/> Coastal Policies	<input checked="" type="checkbox"/> Areas of Special Biological Importance Map
<input checked="" type="checkbox"/> Framework for Planning (Coastal & Inland)	<input checked="" type="checkbox"/> California Natural Species Diversity Database
<input checked="" type="checkbox"/> General Plan (Inland & Coastal), including all maps & elements; more pertinent elements considered include:	<input checked="" type="checkbox"/> Clean Air Plan
<input checked="" type="checkbox"/> Agriculture & Open Space Element	<input checked="" type="checkbox"/> Fire Hazard Severity Map
<input checked="" type="checkbox"/> Energy Element	<input checked="" type="checkbox"/> Flood Hazard Maps
<input checked="" type="checkbox"/> Environment Plan (Conservation, Historic and Esthetic Elements)	<input checked="" type="checkbox"/> Natural Resources Conservation Service Soil Survey for SLO County
<input checked="" type="checkbox"/> Housing Element	<input checked="" type="checkbox"/> Regional Transportation Plan
<input checked="" type="checkbox"/> Noise Element	<input checked="" type="checkbox"/> Uniform Fire Code
<input type="checkbox"/> Parks & Recreation Element	<input checked="" type="checkbox"/> Water Quality Control Plan (Central Coast Basin – Region 3)
<input checked="" type="checkbox"/> Safety Element	<input checked="" type="checkbox"/> GIS mapping layers (e.g., habitat, streams, contours, etc.)
<input checked="" type="checkbox"/> Land Use Ordinance	<input type="checkbox"/> Other _____
<input type="checkbox"/> Real Property Division Ordinance	
<input type="checkbox"/> Trails Plan	
<input type="checkbox"/> Solid Waste Management Plan	

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In addition, the following project specific information and/or reference materials have been considered as a part of the Initial Study:



## Exhibit B - Mitigation Summary Table

- VS1 **At the time of application for construction permits**, the applicant shall provide cross sectional drawings that clearly illustrate the relationship between the proposed development and the backdrop landforms when viewed from Highway 101. All new development shall be located so that no portion of any structure silhouettes against the sky when viewed from Highway 101.
- VS2 **At the time of application for construction permits**, the applicant shall clearly delineate the vertical height of all cut and fill slopes on the project plans and the border of cut slopes and fills rounded off to a minimum radius of five feet. No cut or fill area that will be visible from Highway 101. For any visible cuts from key viewing areas previously identified, sufficient topsoil shall be stockpiled and reapplied or re-keyed over these visible cut areas to provide at least 8" of topsoil for the reestablishment of vegetation. As soon as the grading work has been completed, the cut and fill slopes shall be reestablished with non-invasive, fast-growing vegetation.
- VS3 **At the time of application for construction permits**, the applicant shall clearly delineate on the project plans the location and visual treatment of any new water tank(s). All water tanks shall be located in the least visually prominent location feasible when viewed from [identify key viewing area(s)]. Screening with topographic features, existing vegetation or existing structures shall be used as feasible.. If the tank(s) cannot be fully screened with existing elements, then the tank(s) shall be a neutral or dark, non-contrasting color, and landscape screening shall be provided. The applicant shall provide evidence that the proposed tank(s) are as low profile as is possible, given the site conditions. Landscape material must be shown to do well in existing soils and conditions, be fast-growing, evergreen and drought tolerant. Shape and size of landscape material shall be in scale with proposed tank(s) and surrounding native vegetation. Plans shall show how plants will be watered and what watering schedule will be applied to ensure successful and vigorous growth.
- VS4 **At the time of application for construction permits**, the applicant shall submit architectural elevations of all proposed structures to the Department of Planning and Building for review and approval in consultation with the Environmental Coordinator. The elevations shall show exterior finish materials, colors, and height above the existing natural ground surface. Colors shall minimize the structure massing of new development by reducing the contrast between the proposed development and the surrounding environment. Colors shall be compatible with the natural colors of the surrounding environment, including vegetation, rock outcrops, etc.. Darker, non-reflective, earth tone colors shall be selected for walls, chimneys etc. and darker green, grey, slate blue, or brown colors for the roof structures. All color selections shall fall within a "chroma" and "value" of 6 or less, as described in the Munsell Book of Color (review copy available at County, or go to internet website on topic such as: <http://www.it.lut.fi/ip/research/color/demonstration/demonstration.html>.)
- VS5 **At the time of application for construction permits**, the applicant shall submit landscape, irrigation, landscape maintenance plans and specifications to the Department of Planning and Building for review and approval in consultation with the Environmental Coordinator. The landscape plan shall be prepared as provided in Section [22.04.186 of the San Luis Obispo County Land Use Ordinance and shall provide vegetation that will adequately [screen the new development, including driveways, access roads, outbuildings, water tanks, etc., when viewed from Highway 101 to blend the new development, including driveways, access roads, outbuildings, water tanks, etc., into the surrounding environment.

All landscaping plans shall contain a note, signed by a qualified individual (e.g., arborist, landscape architect/contractor, nurseryman), certifying that the plant materials specified in the

plan are consistent with Section [22.04.184 of the San Luis Obispo County Land use Ordinance].

- VS6 Retaining walls, sound walls, and understories that exceed six feet in height shall be constructed in colors and tones compatible with the surrounding environment, and shall use textured materials and/or construction methods which create a textured effect, when viewed from [identify key viewing area]. Landscaping that will either screen from in front or grow over from above the wall shall be established **prior to final inspection or issuance of a certificate of occupancy, whichever occurs first.**
- BIO1 To ensure future construction on this site does not impact sensitive plants that may be on the site, the applicant shall have a botany survey completed during blooming season and **prior to application for construction permits.** This survey shall survey the whole site; identify all sensitive plant located on site. Based on the results of the survey all development and construction activities shall avoid all sensitive plants. This shall be demonstrated on construction plans.
- BIO2 All future development is encouraged to be located in area currently supporting development.
- TR-1 **At the time of application for construction permits,** if oak trees are removed the applicant shall submit a tree replacement plan to be reviewed and approved by the Environmental Coordinator. The plan shall provide for the replacement, in kind at a 4:1 ratio, all oak trees removed as a result of the development of the project and in addition, shall provide for the planting, in kind at a 2:1 ratio, of oak trees to mitigate for trees impacted but not removed. Replanting shall be completed as soon as it is feasible (e.g. irrigation water is available, grading done in replant area). Replant areas shall be either in native topsoil or areas where native topsoil has been reapplied. If the latter, top soil shall be carefully removed and stockpiled for spreading over graded areas to be replanted (set aside enough for 6-12" layer).
- Location of newly planted trees should adhere to the following, whenever possible: on the north side of and at the canopy/dripline edge of existing mature native trees; on north-facing slopes; within drainage swales (except when riparian habitat present); where topsoil is present; and away from continuously wet areas (e.g. lawns, leach lines).
- These newly planted trees shall be maintained until successfully established. This shall include protection (e.g. tree shelters, caging) from animals (e.g., deer, rodents), regular weeding (minimum of once early Fall and once early Spring) of at least a three foot radius out from plant and adequate watering (e.g., drip-irrigation system). Watering should be controlled so only enough is used to initially establish the tree, and reducing to zero over a three year period. If possible, planting during the warmest, driest months (June through September) shall be avoided. In addition, standard planting procedures (e.g., planting tablets, initial deep watering) shall be used.
- TR-2 If 15 or more trees are to be being planted, to guarantee the success of the new trees, the applicant shall retain a qualified individual (e.g., arborist, landscape architect/ contractor, nurseryman) to monitor the new trees' survivability and vigor until the trees are successfully established, and prepare monitoring reports, on an annual basis, for no less than seven years. Based on the submittal of the initial planting letter, the first report shall be submitted to the County Environmental Coordinator one year after the initial planting and thereafter on an annual basis until the monitor, in consultation with the County, has determined that the initially-required vegetation is successfully established. Additional monitoring will be necessary if initially-required vegetation is not considered successfully established. The applicant, and successors-in-interest, agrees to complete any necessary remedial measures identified in the report(s) to maintain the population of initially planted vegetation and approved by the

Environmental Coordinator.

- TR-3 **Prior to application for construction permits**, a cost estimate for a planting plan, installation of new trees, and maintenance of new trees for a period of three [use seven if oaks involved] years shall be prepared by a qualified individual (e.g., landscape contractor) and shall be reviewed and approved by the County Department of Planning and Building. **Prior to issuance of construction permits** a performance bond, equal to the cost estimate, shall be posted by the applicant.
- TR-4 **At the time of application for construction permits**, the applicant shall clearly show on the project plans the type, size, and location of all trees to be removed as part of the project and all remaining trees within 50 feet of construction activities. The project plans shall also show the type and location of tree protection measures to be employed. All trees to remain on-site that are within fifty feet of construction or grading activities shall be marked for protection (e.g., with flagging) and their root zone fenced prior to any grading. The outer edge of the tree root zone is 1-1/2 times the distance from the trunk to the drip line of the tree. Grading, utility trenching, compaction of soil, or placement of fill shall be avoided within these fenced areas. If grading in the root zone cannot be avoided, retaining walls shall be constructed to minimize cut and fill impacts. Care shall be taken to avoid surface roots within the top 18 inches of soil. If any roots must be removed or exposed, they shall be cleanly cut and not left exposed above the ground surface.
- TR-5; **At the time of application for construction permit**, the applicant shall clearly show on the project plans all revised drainage patterns that are within 100 feet upslope of any existing (oak) trees to remain. All reasonable efforts shall be made to maintain the historic drainage patterns and flow volumes to these [oak] trees. If not feasible, the drainage plan shall clearly show which trees would be receiving more or less drainage. If the historic drainage pattern and flow volume cannot be maintained for these trees, the drainage plan shall be submitted to the Environmental Division for review. The Environmental Division will determine the significance to the affected trees from the proposed drainage pattern changes and require appropriate replacement levels (up to 4:1 replacement ratio). The applicant agrees that at such time, the County-recommended level of tree replacement along with any suggested measures to improve the success of existing and new trees will be completed. Additional monitoring of existing and/or replacement trees may also be required.

### **Cultural Resources**

- CR-1 To ensure future construction on this site does not impact cultural resources that may be on the site, the applicant shall have a phase one surface survey **prior to application for construction permits**. This survey shall survey the whole site; identify all areas of potential cultural resources located on site. Based on the results of the survey all development and construction activities shall avoid all areas of potential cultural resources. This shall be demonstrated on construction plans.
- CR-2 All future development is encouraged to be located in area currently supporting development.

### **Noise**

- N-1 **At the time of application for construction permit**, the applicant shall submit building plan that clearly adhere to the following mitigations:

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- a. Air conditioning or a mechanical ventilation system
  - b. Windows and sliding glass doors mounted in low air infiltration rate frames (0.5 cfm or less, per ANSI specifications)
  - c. Solid core exterior doors with perimeter weather stripping and threshold seals
  - d. Exterior walls consist of stucco or brick veneer. Wood siding with a ½" minimum thickness fiberboard ("soundboard") underlayer may also be used.
  - e. Glass in both windows and doors should not exceed 20% of the floor area in a
- 
- f. The interior sheetrock of exterior wall assemblies should be attached to studs by resilient channels. Staggered studs or double walls are acceptable alternatives.
  - g. Window assemblies should have a laboratory-tested STC rating of 30 or greater. (Windows that provide superior noise reduction capability and that are laboratory-tested are sometimes called "sound-rated" windows. In general, these windows have thicker glass and/or increased air space between panes. In contrast, standard energy-conservation double-pane glazing with a 1/8" or 1/4" air space may be less effective in reducing noise from some noise sources than single-pane glazing).
  - h. For aircraft noise exposure, same as 3a-c plus:
  - i. Fireplaces should not be allowed.
  - j. Solid sheeting with a minimum thickness of ½" should underlay roofing materials.
  - k. Ceilings should be attached to joists by resilient channels.
  - l. Skylights should not be allowed in occupied rooms.
  - m. Roof or attic vents facing the noise source should be baffled (see Appendix C in Acoustical Design Manual for an example of a suitable vent treatment).
  - n. The building is located between the noise source and the outdoor activity area such that it shields the outdoor activity area.

DATE:

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**DEVELOPER'S STATEMENT FOR  
THARP TENTATIVE PARCEL MAP  
C0-04-0531 / SUB 2004-00114  
ED 05-133**

The applicant agrees to incorporate the following measures into the project. These measures become a part of the project description and therefore become a part of the record of action upon which the environmental determination is based. All development activity must occur in strict compliance with the following mitigation measures. These measures shall be perpetual and run with the land. These measures are binding on all successors in interest of the subject property.

Note: The items contained in the boxes labeled "Monitoring" describe the County procedures to be used to ensure compliance with the mitigation measures.

**Visual**

- VS1 **At the time of application for construction permits**, the applicant shall provide cross sectional drawings that clearly illustrate the relationship between the proposed development and the backdrop landforms when viewed from Highway 101. All new development shall be located so that no portion of any structure silhouettes against the sky when viewed from Highway 101.

**Monitoring:** Will be shown on an additional map sheet. Compliance will be verified by the Department of Planning and Building, in consultation with the Environmental Coordinator.

- VS2 **At the time of application for construction permits**, the applicant shall clearly delineate the vertical height of all cut and fill slopes on the project plans and the border of cut slopes and fills rounded off to a minimum radius of five feet. No cut or fill area that will be visible from Highway 101. For any visible cuts from key viewing areas previously identified, sufficient topsoil shall be stockpiled and reapplied or re-keyed over these visible cut areas to provide at least 8" of topsoil for the reestablishment of vegetation. As soon as the grading work has been completed, the cut and fill slopes shall be reestablished with non-invasive, fast-growing vegetation.

**Monitoring:** Will be shown on an additional map sheet. Compliance will be verified by the Department of Planning and Building, in consultation with the Environmental Coordinator.

- VS3 **At the time of application for construction permits**, the applicant shall clearly delineate on the project plans the location and visual treatment of any new water tank(s). All water tanks shall be located in the least visually prominent location feasible when viewed from [identify key viewing area(s)]. Screening with topographic features, existing vegetation or existing structures shall be used as feasible.. If the tank(s) cannot be fully screened with existing elements, then the tank(s) shall be a neutral or dark, non-contrasting color, and landscape

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screening shall be provided. The applicant shall provide evidence that the proposed tank(s) are as low profile as is possible, given the site conditions. Landscape material must be shown to do well in existing soils and conditions, be fast-growing, evergreen and drought tolerant. Shape and size of landscape material shall be in scale with proposed tank(s) and surrounding native vegetation. Plans shall show how plants will be watered and what watering schedule will be applied to ensure successful and vigorous growth.

**Monitoring:** Will be shown on an additional map sheet. Compliance will be verified by the Department of Planning and Building in consultation with the Environmental Coordinator.

- VS4 **At the time of application for construction permits**, the applicant shall submit architectural elevations of all proposed structures to the Department of Planning and Building for review and approval in consultation with the Environmental Coordinator. The elevations shall show exterior finish materials, colors, and height above the existing natural ground surface. Colors shall minimize the structure massing of new development by reducing the contrast between the proposed development and the surrounding environment. Colors shall be compatible with the natural colors of the surrounding environment, including vegetation, rock outcrops, etc.. Darker, non-reflective, earth tone colors shall be selected for walls, chimneys etc. and darker green, grey, slate blue, or brown colors for the roof structures. All color selections shall fall within a "chroma" and "value" of 6 or less, as described in the Munsell Book of Color (review copy available at County, or go to internet website on topic such as: <http://www.it.lut.fi/ip/research/color/demonstration/demonstration.html>).

**Monitoring:** Will be shown on an additional map sheet. Compliance will be verified by the Department of Planning and Building in consultation with the Environmental Coordinator.

- VS5 **At the time of application for construction permits**, the applicant shall submit landscape, irrigation, landscape maintenance plans and specifications to the Department of Planning and Building for review and approval in consultation with the Environmental Coordinator. The landscape plan shall be prepared as provided in Section [22.04.186 of the San Luis Obispo County Land Use Ordinance] [23.04.186 of the San Luis Obispo County Coastal Zone Land Use Ordinance] and shall provide vegetation that will adequately [screen the new development, including driveways, access roads, outbuildings, water tanks, etc., when viewed from Highway 101 to blend the new development, including driveways, access roads, outbuildings, water tanks, etc., into the surrounding environment.

All landscaping plans shall contain a note, signed by a qualified individual (e.g., arborist, landscape architect/contractor, nurseryman), certifying that the plant materials specified in the plan are consistent with Section [22.04.184 of the San Luis Obispo County Land use Ordinance] [23.04.184 of the San Luis Obispo County Land use Ordinance].

**Monitoring:** Will be shown on an additional map sheet. Compliance will be verified by the Department of Planning and Building, in consultation with the Environmental Coordinator.

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- VS6 Retaining walls, sound walls, and understories that exceed six feet in height shall be constructed in colors and tones compatible with the surrounding environment, and shall use textured materials and/or construction methods which create a textured effect, when viewed from [identify key viewing area]. Landscaping that will either screen from in front or grow over from above the wall shall be established **prior to final inspection or issuance of a certificate of occupancy, whichever occurs first.**

**Monitoring:** Will be shown on an additional map sheet. Compliance will be verified by the Department of Planning and Building in consultation with the Environmental Coordinator.

### **Biological**

- BIO1 To ensure future construction on this site does not impact sensitive plants that may be on the site, the applicant shall have a botany survey completed during blooming season and **prior to application for construction permits**. This survey shall survey the whole site; identify all sensitive plant located on site. Based on the results of the survey all development and construction activities shall avoid all sensitive plants. This shall be demonstrated on construction plans.
- BIO2 All future development is encouraged to be located in area currently supporting development.

**Monitoring:** Will be shown on an additional map sheet. Compliance will be verified by the Department of Planning and Building, in consultation with the Environmental Coordinator.

- TR-1 **At the time of application for construction permits**, if oak trees are removed the applicant shall submit a tree replacement plan to be reviewed and approved by the Environmental Coordinator. The plan shall provide for the replacement, in kind at a 4:1 ratio, all oak trees removed as a result of the development of the project and in addition, shall provide for the planting, in kind at a 2:1 ratio, of oak trees to mitigate for trees impacted but not removed. Replanting shall be completed as soon as it is feasible (e.g. irrigation water is available, grading done in replant area). Replant areas shall be either in native topsoil or areas where native topsoil has been reapplied. If the latter, top soil shall be carefully removed and stockpiled for spreading over graded areas to be replanted (set aside enough for 6-12" layer).

Location of newly planted trees should adhere to the following, whenever possible: on the north side of and at the canopy/dripline edge of existing mature native trees; on north-facing slopes; within drainage swales (except when riparian habitat present); where topsoil is present; and away from continuously wet areas (e.g. lawns, leach lines).

These newly planted trees shall be maintained until successfully established. This shall include protection (e.g. tree shelters, caging) from animals (e.g., deer, rodents), regular weeding (minimum of once early Fall and once early Spring) of at least a three-foot radius out from plant and adequate watering (e.g., drip-irrigation system). Watering should be controlled so only enough is used to initially establish the tree, and reducing to zero over a three-year period. If possible, planting during the warmest, driest months (June through September) shall be avoided. In addition, standard-planting procedures (e.g., planting tablets, initial deep watering) shall be used.

**Monitoring:** Will be shown on an additional map sheet. Compliance will be verified by the Department of Planning and Building, in consultation with the Environmental Coordinator.

- TR-2 If 15 or more trees are to be being planted, to guarantee the success of the new trees, the applicant shall retain a qualified individual (e.g., arborist, landscape architect/ contractor, nurseryman) to monitor the new trees' survivability and vigor until the trees are successfully established, and prepare monitoring reports, on an annual basis, for no less than seven years. Based on the submittal of the initial planting letter, the first report shall be submitted to the County Environmental Coordinator one year after the initial planting and thereafter on an annual basis until the monitor, in consultation with the County, has determined that the initially-required vegetation is successfully established. Additional monitoring will be necessary if initially-required vegetation is not considered successfully established. The applicant, and successors-in-interest, agrees to complete any necessary remedial measures identified in the report(s) to maintain the population of initially planted vegetation and approved by the Environmental Coordinator.

**Monitoring:** Will be shown on an additional map sheet. Compliance will be verified by the Department of Planning and Building, in consultation with the Environmental Coordinator.

- TR-3 **Prior to application for construction permits**, a cost estimate for a planting plan, installation of new trees, and maintenance of new trees for a period of three [use seven if oaks involved] years shall be prepared by a qualified individual (e.g., landscape contractor) and shall be reviewed and approved by the County Department of Planning and Building. **Prior to issuance of construction permits** a performance bond, equal to the cost estimate, shall be posted by the applicant.

**Monitoring:** Will be shown on an additional map sheet. Compliance will be verified by the Department of Planning and Building, in consultation with the Environmental Coordinator.

- TR-4 **At the time of application for construction permits**, the applicant shall clearly show on the project plans the type, size, and location of all trees to be removed as part of the project and all remaining trees within 50 feet of construction activities. The project plans shall also show the type and location of tree protection measures to be employed. All trees to remain on-site that are within fifty feet of construction or grading activities shall be marked for protection (e.g., with flagging) and their root zone fenced prior to any grading. The outer edge of the tree root zone is 1-1/2 times the distance from the trunk to the drip line of the tree. Grading, utility trenching, compaction of soil, or placement of fill shall be avoided within these fenced areas. If grading in the root zone cannot be avoided, retaining walls shall be constructed to minimize cut and fill impacts. Care shall be taken to avoid surface roots within the top 18 inches of soil. If any roots must be removed or exposed, they shall be cleanly cut and not left exposed above the ground surface.

**Monitoring:** Will be shown on an additional map sheet. Compliance will be verified by the Department of Planning and Building, in consultation with the Environmental Coordinator.



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TR-5; **At the time of application for construction permit**, the applicant shall clearly show on the project plans all revised drainage patterns that are within 100 feet upslope of any existing (oak) trees to remain. All reasonable efforts shall be made to maintain the historic drainage patterns and flow volumes to these [oak] trees. If not feasible, the drainage plan shall clearly show which trees would be receiving more or less drainage. If the historic drainage pattern and flow volume cannot be maintained for these trees, the drainage plan shall be submitted to the Environmental Division for review. The Environmental Division will determine the significance to the affected trees from the proposed drainage pattern changes and require appropriate replacement levels (up to 4:1 replacement ratio). The applicant agrees that at such time, the County-recommended level of tree replacement along with any suggested measures to improve the success of existing and new trees will be completed. Additional monitoring of existing and/or replacement trees may also be required.

**Monitoring:** Will be shown on an additional map sheet. Compliance will be verified by the Department of Planning and Building, in consultation with the Environmental Coordinator.

CR-1 To ensure future construction on this site does not impact cultural resources that may be on the site, the applicant shall have a phase one surface survey **prior to application for construction permits**. This survey shall survey the whole site; identify all areas of potential cultural resources located on site. Based on the results of the survey all development and construction activities shall avoid all areas of potential cultural resources. This shall be demonstrated on construction plans

CR-2 All future development is encouraged to be located in area currently supporting development.

**Monitoring:** Will be shown on an additional map sheet. Compliance will be verified by the Department of Planning and Building, in consultation with the Environmental Coordinator.

## Noise

N-1 **At the time of application for construction permit**, the applicant shall submit building plan that clearly adhere to the following mitigations:

- a. Air conditioning or a mechanical ventilation system
- b. Windows and sliding glass doors mounted in low air infiltration rate frames (0.5 cfm or less, per ANSI specifications)
- c. Solid core exterior doors with perimeter weather stripping and threshold seals
- d. Exterior walls consist of stucco or brick veneer. Wood siding with a ½" minimum thickness fiberboard ("soundboard") underlayer may also be used.
- e. Glass in both windows and doors should not exceed 20% of the floor area in a
- f. The interior sheetrock of exterior wall assemblies should be attached to studs by resilient channels. Staggered studs or double walls are acceptable alternatives.
- g. Window assemblies should have a laboratory-tested STC rating of 30 or greater. (Windows that provide superior noise reduction capability and that are laboratory-tested are sometimes called "sound-rated" windows. In general, these

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windows have thicker glass and/or increased air space between panes. In contrast, standard energy-conservation double-pane glazing with a 1/8" or 1/4" air space may be less effective in reducing noise from some noise sources than single-pane glazing).

- h. For aircraft noise exposure, same as 3a-c plus:
- i. Fireplaces should not be allowed.
- j. Solid sheeting with a minimum thickness of 1/2" should underlay roofing materials.
- k. Ceilings should be attached to joists by resilient channels.
- l. Skylights should not be allowed in occupied rooms, room.
- m. Roof or attic vents facing the noise source should be baffled (see Appendix C in Acoustical Design Manual for an example of a suitable vent treatment).
- n. The building is located between the noise source and the outdoor activity area such that it shields the outdoor activity area.

Monitoring: Compliance will be verified by the Department of Planning and Building.

The applicant understands that any changes made to the project description subsequent to this environmental determination must be reviewed by the Environmental Coordinator and may require a new environmental determination for the project. By signing this agreement, the owner(s) agrees to and accepts the incorporation of the above measures into the proposed project description.

Signature of Owner(s)

Date

4-24-06

Name (Print)

Gary Tharp